

This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + Refrain from automated querying Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

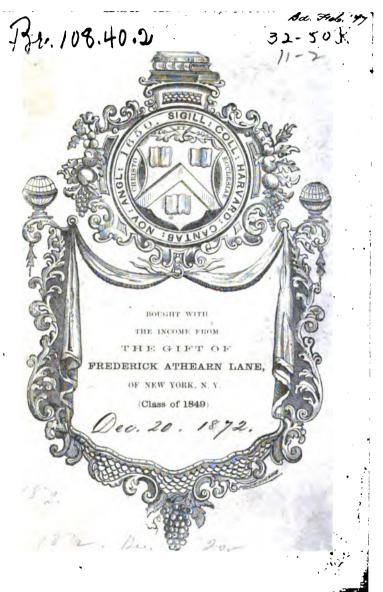
About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at http://books.google.com/

Br. 108.40.2 (Class of 1849)

15





15



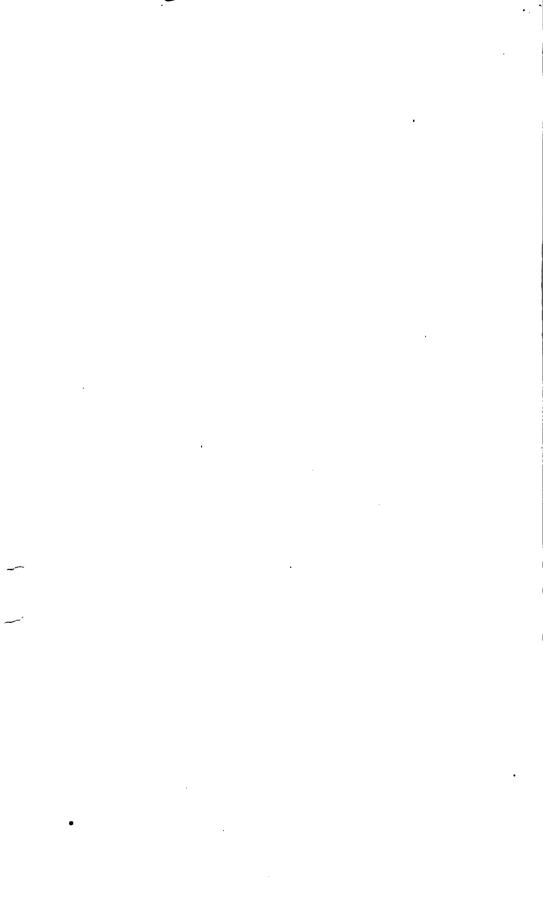


ANCIENT

LAWS AND INSTITUTES

OF

ENGLAND.



ANCIENT

LAWS AND INSTITUTES

OF

 \mathcal{D}_{i}

ENGLAND;

COMPRISING

Laws enacted under the Anglo-Saxon Kings from ÆTHELBIRHT to CNUT,

With an English Translation of the Saxon;

The Laws called Edward the Confessor's;

The Laws of William the Conqueror, and those ascribed to Henry the First;

ALSO.

MONUMENTA ECCLESIASTICA ANGLICANA,

FROM THE SEVENTH TO THE TENTH CENTURY;

AND THE

Ancient Latin Version of the Anglo-Saron Laws.

WITH

A COMPENDIOUS GLOSSARY, &c.

VOLUME THE SECOND; containing the ecclesiastical laws, etc.

PRINTED BY COMMAND

HIS LATE MAJESTY KING WILLIAM IV.

inct Britain THE COMMISSIONERS ON THE PUBLIC RECORDS

C'MDCCCXL.

Brit. Hit. 67 Br 108,40,2

> 1872, Dec. 20. Lane Fund.

> > 37



COMMISSIONERS

ON

THE PUBLIC RECORDS OF THE KINGDOM,

APPOINTED BY

HIS MAJESTY'S COMMISSION

OF THE

12th of March 1831.

HIS GRACE THE ARCHBISHOP OF CANTERBURY.

THE RIGHT HONOURABLE LORD BROUGHAM AND VAUX.

THE RIGHT HONOURABLE THE SECRETARY OF STATE FOR THE HOME DEPARTMENT.

THE RIGHT HONOURABLE THE SPEAKER OF THE HOUSE OF COMMONS.

THE RIGHT HONOURABLE THE CHANCELLOR OF THE EXCHEQUER.

THE RIGHT HONOURABLE THE MASTER OF THE ROLLS.

THE RIGHT HONOURABLE THE LORD CLERK REGISTER OF SCOTLAND.

THE RIGHT HONOGRAPITE PART SPENCER, R.G.

THE RIGHT HONOURABLE THE EARL OF ABERDEEN, K. T.

THE RIGHT REVEREND THE LORD BISHOP OF LLANDAFF.

THE RIGHT HONOURABLE THOMAS GRENVILLE.

THE RIGHT HONOURABLE CHARLES WATKIN WILLIAMS WYNN, M.P.

the kiene honounable six james machineosh.

THE RIGHT HONOURABLE HENRY HOBHOUSE.

CHE KICHT HONOUKABLE LOKU DOVEK.

THE RIGHT HONOURABLE MR. BARON PARKE.

THE RIGHT HONOURABLE MR. JUSTICE BOSANQUET.

SIR ROBERT HARRY INGLIS, BART., M. P.

LOUIS HAYES PETIT, ESQUIRE.

HENRY BELLENDEN KER, ESQUIRE.

HENRY HALLAM, ESQUIRE.

JOHN ALLEN. ESQUIRE.

EDWARD PROTHEROE, ESQUIRE.
EDWARD VERNON UTTERSON, ESQUIRE.
WILLIAM BROUGHAM ESQUIRE.

CHARLES PURTON COOPER, ESQUIRE, SECRETARY.



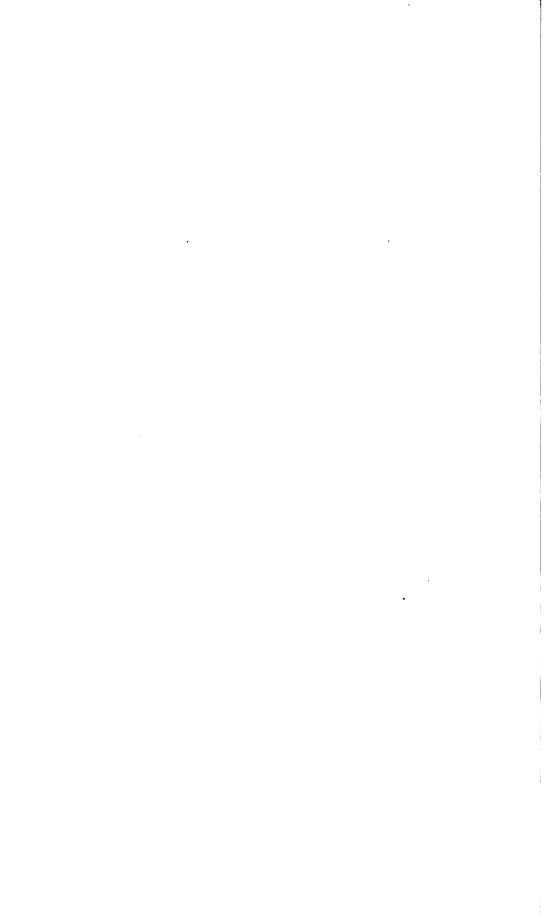
TABLE OF CONTENTS.

MONUMENTA ECCLESIASTICA.			
		I	age
THEODORI ARCH. CANT. LIBER PŒNITENTIALIS	-		1
Capitula et Fragmenta Theodori -	-		63
DIALOGUS ECGBERTI, ARCH. EBOR	-		87
Excerptiones Ecgberti, Arch. Ebor	-		97
Confessionale Ecgberti, Arch. Ebor	-	128,	129
Pœnitentiale Ecgberti, Arch. Ebor	-	170,	171
Of Ecclesiastical Compensations, or 'Bots'	-	240,	241
CANONS enacted under King EDGAR	-	244,	245
(De Confessione)	-	260,	261
(Modus Imponendi Pœnitentiam) -	-	266,	2 67
(Of Penitents)	-	278,	279
(Of Powerful Men)	-	286;	287
Law of the Northumbrian Priests	-	290,	2 91
INSTITUTES of POLITY, CIVIL and ECCLESIASTICAL	-	304,	305
The Canons of Ælfric	-	342,	343
ÆLFRIC'S PASTORAL EPISTLE	-	364,	365
ÆLFRIC'S EPISTLE, entitled 'Quando dividis Chrisma'	-	390,	391
ECCLESIASTICAL INSTITUTES	•	394,	395
LEGUM ANGLO-SAXONICARUM VERSIO ANTIQUA.			
LEGES ALUREDI Regis WEST-SAXONUM -	-		447
LEGES INÆ Regis WEST-SAXIÆ	-		460
Fordus inter Alpredum et Guthrum	-		473
Leges Regis Edwardi	-		475
LEGES Regum ALFREDI et GODRINI	-		4 78
De Weregildis	-		481
De Juramentis	•		482
De Weregildis Singularum Personarum cum An	GLI	S	483
De eodem in Mercennorum Laga	-		484

TABLE OF CONTENTS.

Index. Glossary.

MONUMENTA ECCLESIASTICA.



MONUMENTA ECCLESIASTICA.

*LIBER PŒNITENTIALIS THEODORI ARCHIEPISCOPI CANTUARIENSIS ECCLESIÆ.

- QUALITER APUD ORIENTALES PROVINCIAS GERMANIÆ ATQUE SAXONIÆ, PRO DIVERSIS CRIMINIBUS, PŒNITEN-TIÆ OBSERVATUR MODUS.
- II. DE TEMPERANTIA PŒNITENTIUM.
- III. DE DIVERSIS HOMICIDIIS.
- IV. ITEM DE PŒNITENTIA.
- V. DE PŒNITENTIBUS, UT A PRESBITERIS NON RECONCILI-ENTUR, NISI PRECIPIENTE EPISCOPO. EX CONCILIO AF-FRICANO.
- VI. ITEM, EX CONCILIO CARTAGINENSI, DE EADEM RE.
- VII. ITEM DE CAPITALIBUS CRIMINIBUS.

INCIPIUNT CAPITULA DE PENITENTUM JUDICIIS:

- VIII. [DE SUPERBIA.]
 - IX. DE INANI GLORIA.
 - X. DE INVIDIA.
 - XI. DE IRA.
- XII. DE TRISTITIA SÆCULI.
- XIII. DE AVARITIA.
- XIV. DE VENTRIS INGLUVIE.
- XV. DE LUXURIA.
- XVI. DE FORNICATIONE LAICORUM.
- XVII. DE OBSERVATIONE CONJUGATORUM.
- XVIII. DE FORNICATIONE CLERICORUM SIVE SANCTIMONIALIUM.

^{*} Textus ex ms. O. sumitur,

- XIX. DE ADULTERIO.
- XX. DE INCESTUOSIS.
- XXI. DE HOMICIDIIS.
- XXII. DE FALSO TESTIMONIO ET MENDACIO.
- XXIII. DE FURTO, ET INCENDIO, ET SEPULCHRORUM VIOLA-TORIBUS.
- XXIV. DE PERJURIO.
- XXV. DE RAPINA, ET DE USURA, ET QUI HOSPITES NON RECIPIT, ET MANDATA EVANGELICA NON IMPLET.
- XXVI. DE EBRIETATE ET VOMITU.
- XXVII. DE IDOLATRIA ET SACRILEGIO, ET QUI ANGELOS COLUNT, ET MALEFICOS, ARIOLOS, VENEFICOS, SORTILEGOS, DIVINOS, ET VOTA REDDENTES NISI AD ECCLESIAM DEI, ET IN KALENDAS JAN. IN CERVULO ET IN VETULA VADIT, ET MATHEMATICOS, ET EMISSORES TEMPESTATUM.
- XXVIII. DE SODOMITIS ET MOLLIBUS, ET IMMUNDIS POLLUTIO-NIBUS.
 - XXIX. DE MALEDICTIONE ET DETRACTIONE.
 - XXX. DE COMMUNIONE HERETICORUM.
 - XXXI. DE DISCRETIONE CIBORUM, MUNDIS ET IMMUNDIS.
- EXXII. DE HIS QUI ECCLESIASTICA JEJUNIA ABSQUE NECES-SITATE DISSOLVUNT, ET DE HIS QUI VENATIONES EXERCENT.
- XXXIII. DE OTIOSITATE, ET VERBOSITATE, ET SOMPNOLENCIA.
- XXXIV. DE INOBÆDIENTIA ET BLASPHEMIA.
- XXXV. DE COGITATIONIBUS MALIS.
- XXXVI. DE VERBO OTIOSO.
- XXXVII. DE CURIOSITATE.
- XXXVIII. DE BAPTISMO REITERATO, ET DE OPERE DIE DOMI-NICO, ET QUI DIE DOMINICO JEJUNANT.
 - XXXIX. DE NEGLEGENTIA EUCHARISTIÆ.
 - XL. DE NEGLEGENTIA NOVI AC SANCTIFICATI PANIS, SIVE DE ALIIS CREATURIS.
 - XLI. DE RECONCILIATIONE PŒNITENTUM.
 - XLII. DE COMMUNIONE JUDÆORUM VEL GENTILIUM.
 - XLIII. DE PRESBITERIS QUI MORIENTIBUS PŒNITENTIAM DE-NEGANT, ET QUI INFIRMOS NON BAPTIZANT.
 - XLIV. QUOD GRECI SINGULIS DOMINICIS COMMUNICENT.
 - XLV. DE COMMEMORATIONE DEFUNCTORUM, VEL DE MISSA PRO EIS, ET CUR III., VII., VEL XXX., AUT ANNIVER-SARIUS DIES CÆLEBRETUR.
 - XLVI. DE RITU MULIERUM IN ÆCCLESIA.
 - XLVII. DE ECCLESIA IN QUA MORTUORUM CADAVERA, FIDE-LIUM SIVE INFIDELIUM, SEPELIUNTUR.

XLVIII. DE RELIQUIIS SANCTORUM, VEL RITU SACERDOTUM ET DIACONORUM LAICORUMQUE IN ÆCCLESIA.

XLIX. QUOD NULLI SIT ULTIMA PŒNITENTIA DENEGANDA.

L. DE HIS QUI MORIENTIBUS PŒNITENTIAM DENEGANT.

DE PŒNITENTIARUM DIVERSITATE. ITEM DE EADEM RE.

I. QUALITER APUD ORIENTALES PROVINCIAS GER-MANIÆ ATQUE SAXONIÆ, PRO DIVERSIS CRIMINI-BUS, PŒNITENTIÆ OBSERVATUR MODUS.

Si quis, pro qualicunque criminali peccato, diutina pœnitentia fuerit puniendus, placuit quibusdam, ut tam diu ab ingressu æcclesiæ amoveatur, quam diu pœnitentiæ ipsius mensura extenditur. Nonnullis etiam in locis ita observatur, ut si quis vii. annorum vel vii. carinarum pœnitentia fuerit dampnatus, primo anno vel prima carina se ab introitu æcclesiæ abstineat; deinde semper tres quadragesimas per sex sequentes annos cus-In orientalibus vero, id est Germaniæ Saxoniæque, partibus, sicut experimento didicimus, capitalium criminum reus, verbi gratia, si parricida extiterit, vii. annis ab ingressu domus Dei alienatur, atque peregrinationem suscipiens, nudipes laneisque indutus perambulat, pane et aqua atque holeribus contentus; nisi tantum dominicis ceterisque præcipuis festivis diebus, et hoc secundum mensuram sibi constitutam. Quosdam etiam vidimus, quibus, per omnes vii. annos, commorandi uno loco, nisi unius diei et noctis [spatio], interdicta erat licentia, excepta infirmitatis causa, vel causa præcipuæ festivitatis.

II. DE TEMPERANTIA PŒNITENTIUM.

Pro capitalibus criminibus, id est, sacrilegiis, homicidiis, adulteriis, et his similibus, sancti patres nostri spatium pœnitentiæ, secundum mensuram et secundum ordinem cujusque, [constituerunt.] Quanto autem quisque altioris ordinis fuerit, tanto debet majoris esse continentiæ; quapropter, quia multa paucis verbis explicare non possumus, saltem pronuntiamus quia pro præscriptis criminibus et eis similibus, quidam constituere laico pœnitentiam IIII. annorum; et si servus est, duorum annorum; canonico v.; subdiacono vi.; diacono vii.; presbitero x. annorum; æpiscopo autem xii. annorum. Pro peccatis itaque

levioribus levigandum judicabant modum pœnitentiæ. Parricidiis vero et aliis nefandis criminibus omnimodo artam constituere pœnitentiæ mensuram; quia, ut Cyprianus dicit: 'Qui peccantem verbis adulantibus palpat, peccandi fomitem subministrat, nec premit delicta illius, sed fovet.' Ormisda papa dicit: 'Quæ est ista inimica benignitas, palpare criminosos, et vulnera eorum usque ad diem judicii incurata servare?' Alibi quoque scriptum est: 'Facientes et consentientes æquali pœna puniuntur.' Ideoque non segniter animarum salus perscrutanda est, sed instanter, secundum diversitatem culparum, vulnera animarum medicamento veræ pænitentiæ curanda sunt. Medicus enim debet sanare ægrotum, secundum austeritatem artis suæ, et non palpare molliter, secundum voluntatem infirmi.

III. DE DIVERSIS HOMICIDIIS.

§ 1. Sinodus Romana decrevit, parricidium faciens XIIII. annis pænitere, et semper religiose vivere. § 2. Si nolens patrem, vel matrem, vel fratrem, vel sororem, vel conjugem, aut filium, casu occiderit, vII. annis districte in peregrinatione pœniteat, et nunquam sine religione fiat. Item sinodus Ro-§ 3. Si quis uxoratus nolens occiderit conjugem, vII. annis pœniteat, cum una peregrinatione, et dividat omnem substantiam suam in tres partes: primam parentibus eius. secundam Deo in elemosynam dividendam, terciam in sustentationem vitæ eius. § 4. Si autem de industria, vel meditatione, spiritu zelotipiæ occiderit, et si non habuerit manus eius unde reddat, xIIII. annis pœniteat, et nunquam conjugem habeat, arma relinquat, et Deo serviat. Si autem habuerit unde reddat, ipse dimidium spatium pæniteat; et si genuerit filios et filias, augeatur pœnitentia; quia conjugem suam et matrem filiorum occidit. Si autem illam pregnantem occiderit, xIIII. annis graviter pœniteat in exilio; quia reus conjugis et filii est; et in dimidio spatio non privetur communione. § 5. Item, Qui æpiscopum occiderit, arma relinquat, xIIII. annis exul in pane et aqua pœniteat; vel, secundum placitum universalis concilii, semper pœniteat, et instanter Deo serviat. § 6. Qui presbiterum occiderit, arma relinquat, x11. annis in pane et aqua pœniteat, et semper Deo serviat. diaconum occiderit, x. annis in pane et aqua pœniteat. § 8. Qui subdiaconum occiderit, vIII. annis in pane et aqua pœniteat. § 9. Qui laicum occiderit, VII. annis pœniteat. Et si casu homicidium perpetraverit, xL. diebus ab ingressu

æcclesiæ se abstineat; si sponte, annum 1. vel plures, ut æpisco-§ 10. Multimodis enim causis homicidium pus judicaverit. perpetratur; aliquando enim pro contentione temporalium rerum; aliquando per æbrietatem; aliquando non sponte, sed coactus, resistendo resurgenti; aliquando certando pro justitia, vel pro consanguinea vindicta; aliquando causa regali, adversus resistentes, vel catholicam ecclesiam devastantes. quis, pro contentione temporalium rerum, propinquum, vel presbiterum, vel compatrem, occiderit, oportet illum vii. annis exulem a patria [se] ejicere, et, per diversas provincias, Sanctorum requirere loca, absque armis et calceamentis, et absque communione Christianorum, et non diutius quam diei et noctis unius spatio in una habitatione quiescere, nisi causa infirmitatis, vel sollempnitatis Sanctorum; ut sicut incurrit propter propria in culpam, e contrario pœniteat in aliena. § 12. Qui vero, pro eadem re, alienum hominem, id est [non] propinquum, occiderit, infra patriam vii. annis pœniteat, suspendaturque ab æcclesia vel consortio Christianorum tanto tempore vel hora qua visum fuerit æpiscopo, sive xL. I., sive I. carinam, vel II., vel III. carinas, vel annum I. aut plures. § 13. Qui vero per æbrietatem hominem occiderit, pari culpa homicidium incurrit. Una est illi culpa, quia per gulam semet necat, altera, quia Christianum jugulat. Illi per omnia, ut supra dictum est, pœnitentia injungatur, sed multo magis jejuniis quam abstinentiis cæteris affligatur; ut, sicut per gulam sumpsit peccati initium, per parsimoniam reparetur ad gratui-§ 14. Si vero aliquis certando pro justitia pertatis donum. petraverit homicidium, non illum gravari oportet tam diu annuali jejunio, neque xL mali, sed [per] triduana, vel biduana, seu ferialia jejunia, et per elemosinas, expietur ab sanguinis effusione, ut æpiscopus judicaverit. § 15. Simili modo pæne agatur et de eo qui resistendo insurgentem prostraverit. § 16. Si autem rex infra regnum exercitum duxerit adversus insurgentes seu rebelles, et permotus bellum egerit, pro regno vel æcclesiastica justitia decertando, quicunque illi opem ferendo homicidium incurrerit, absque gravi culpa erit; tantummodo, propter sanguinis effusionem, se, ut mos est, ab æcclesia xL. diebus abstineat, et aliqua ferialia jejunia, pro humilitatis causa, ab sepiscopo suscipiat, et post xL dies reconciliatus, commu-§ 17. Quod si incursio paganorum terram nionem habeat. occupaverit, æcclesias devastaverit, terram depopulaverit, et populum Christianum ad bellum concitaverit, quisquis aliquem

dejecerit, absque gravi culpa erit, sed tantum per vii., vei xiii., vel xi. dies, ab æcclesiæ ingressu se abstineat, et sic purificatus æcclesiam petat.

IV. ITEM DE PŒNITENTIA.

Qui enim multa mala fecit in homicidio, in sacrilegio, in parricidio, in furtu, in rapina, in fornicatione, in adulterio, in mendacio, et perjurio, et postea conversus pœnitere cupit, relinquat terrena omnia, intrans in monasterii servitium, et pœniteat quæ gessit quamdiu vixerit, ut sacerdos judicaverit. Si autem in monasterii servitium intrare noluerit, duriter, in laico habitu, exul, usque ad exitum vitæ pœniteat.

V. DE PŒNITENTIBUS, UT A PRESBITERIS NON RE-CONCILIENTUR, NISI PRÆCIPIENTE ÆPISCOPO.

EX CONCILIO AFFRICANO.

¹Ut pœnitentibus, secundum differentiam peccatorum, æpiscopi arbitrio pœnitentiæ tempora decernantur, et ut presbiter, inconsulto æpiscopo, non reconciliet pœnitentem, nisi absentia episcopi, necessitate cogente. Cujuscunque autem pœnitentis publicum et vulgatissimum est crimen, quod universam æcclesiam commoverit, ante absidem manus ei inponatur.'

VI. ITEM, EX CONCILIO CARTAGINENSI, DE EADEM RE.

Aurelius æpiscopus dixit: 'Si quisquam in periculo fuerit constitutus, et se reconciliari divinis altaribus petierit, si æpiscopus absens fuerit, debet utique presbiter consulere æpiscopum, et sic periclitantem ejus præcepto reconciliare: 'quam rem debemus salubri consilio roborare. Ab universis æpiscopis dictum est: 'Placet quod sanctitas vestra necessaria nos instruere dignata est.'

^{1&#}x27; Romani reconciliant hominem intra absidem: Græci nolunt. Reconciliatio penitentium in cœna Domini tantum est ab episcopo, et consummata penitentia: si vero episcopo difficile sit, presbytero potest, necessitatis causa, præbere potestatem ut impleat. Reconciliatio in hac provincia non est, quia et publica penitentia non est. P

VII. ITEM DE CAPITALIBUS CRIMINIBUS.

Capitalia igitur crimina iterum secundum canones explicabo: Id est, Superbia, Vana Gloria, Invidia, Ira, Tristitia, Avaritia, Gula, Luxuria. Pro istis itaque fieri oportet poenitentia magna.

INCIPIUNT JUDICIA PŒNITENTUM.

VIII. [DE SUPERBIA.]

Dominus in Evangelio dicit: 'Omnis qui se exaltat humiliabitur;' ideo necesse est, ut superbus veraciter se humiliet, et tres annos pœniteat.

IX. DE INANI GLORIA.

Apostolus prohibet dicens: 'Nolite effici inanis glorise cupidi;' ideo qui in suis gloriatur benefactis, cognoscat quicquid boni habet vel facit quia a Deo habet, et non a se, in cujus laude agere debet quicquid facit, ut fiat quod scriptum est: 'Qui gloriatur, in Domino gloriætur:' et tres annos pœniteat.

X. DE INVIDIA.

§ 1. 'Invidia diaboli,' dicit scriptura, 'mors intravit in orbem terrarum;' imitantur autem illum, qui sunt ex parte ejus; ideo necesse est, ut invidus diligat eum cui invidebat, et 111. annos pœniteat. § 2. Qui causa invidiæ detrahit alio, vel libenter audit detrahentem, 111. dies in pane et aqua pœniteat. § 3. Qui vero illi qui preest per invidiam detrahit, vis. dies in pane et aqua pœniteat, et serviat ei libenter.

XI. DE IRA.

§ 1. 'Ira viri,' dicit Apostolus, 'justitiam Dei non operatur:' ideo quisquis iram longo tempore in corde servat contra proximum, veraciter cum mansuetudine et caritate ad pacem redeat, et 111. annos pœniteat. § 2. Si autem duo inter se iram tenuere, et ille unus placare, et ille alter non vult eum recipere ad pacem; ille, qui placare vult, pœniteat judicio sacerdotis; is autem, qui recipere eum non vult, quanto tempore implacabilis est, tanto cum pane et aqua vivat; id est, si men-

sem, vel dimidium, vel integrum annum, inplacabilis est. § 3. Si quis contra alterum iram tenet in corde, homicida judicetur, sicut Apostolus dicit: 'Qui odit fratrem suum, homicida est.' Si vero non vult reconciliari fratri suo, sicut Dominus in Evangelio præcipit:-- 'Si affers,' inquit, 'munus tuum ad altare, et ibi recordatus fueris quia frater tuus habet aliquid adversum te,' et cetera,—quam diu in ira permanet, tam diu in pane et aqua pœniteat, usque dum reconcilietur § 4. Si quis fratrem suum cum furore maledixerit, primo satisfaciat ei, deinde vII. dies pœniteat in pane et § 5. Qui verba asperiora in furore protulerit, primo satisfaciat ei, deinde III. dies cum pane et aqua pœniteat. tamen cum pallore vultus vel tremore corporis, verba tamen injuriosa protulerit, primo satisfaciat ei, deinde unum diem cum pane et aqua pœniteat. § 6. Qui in mente tantum commotus fuerit, ille qui eum commovit satisfaciat ei. vero non vult ei satisfacere, abscidatur pestifer ille a cœtu fratrum. Si autem postea pœniteat, primo satisfaciat ei, deinde quanto tempore contradixerit ei, tanto cum pane et § 7. Qui diu amaritudinem in corde conaqua pœniteat. tra alterum tenet, hilari vultu lætoque corde satisfaciat ei. Si autem non cito eam deponit, III. dies cum pane et aqua pœniteat. Si autem iterat, abscidatur a societate fratrum, donec alacer lætusque, cum pane et aqua, cognoscat delictum suum.

XII. DE TRISTITIA SÆCULI.

§ 1. 'Tristitia hujus sæculi,' dicit Apostolus, 'mortem operatur.' Quisquis ergo tali tristitia diu egrotat, gaudium spiritale et remunerationem præmii futuri in animo ponat, mortemque cotidie ante oculos suos suspectam habeat, et III. annos pæniteat. § 2. Qui fratrem suum contristat, satisfaciat ei, et unum diem cum pane et aqua pæniteat.

XIII. DE AVARITIA.

§ 1. 'Avari,' dicit Apostolus, 'regnum Dei non possidebunt.' Idcirco quisquis vitio avaritize implicatus est, desinat aliena appetere, et discat propria indigentibus largiter tribuere, et III. annos pœniteat. § 2. Qui vero permanet in avaritis, anathematizetur, quousque confiteatur peccatum suum, et postea III. annos pœniteat.

XIV. DE VENTRIS INGLUVIE.

Triplex enim natura est ventris ingluvies; una quæ congruam refectionis horam prævenire compellit; alia quæ tantummodo ventris ingluvie, et saturitate quarumlibet æscarum; tercia quæ accuratioribus æpulis et æsculentioribus oblectatur. Ideoque adversus eam necesse est observantiam triplicem custodiri; id est, ut primum legitimum tempus absolutionis expectet; deinde, ut castigatis; tertio, ut qualibuscunque æscis vilioribusque contentus sit. Qui vero ventris vitio ingluviei deditus est, discat sobrie vivere, et 111. annos pæniteat.

XV. DE LUXURIA.

Luxuria quippe est omnis immunditia corporalis, quæ fieri solet ex incontinentia libidinis et mollitie animæ, quæ consentit suæ carni peccare. Luxuria maximum est peccatum, quia per carnis inmunditiam templum Dei violat, et, tollens membrum Christi, facit membra meretricis. Si quis vero vitio luxuriæ implicatus est, pæniteat, sicut in sequentibus capitulis demonstremus.

XVI. DE FORNICATIONE LAICORUM.

§ 1. Apostolus dicit: 'Neque fornicarii regnum Dei possidebunt.' § 2. 'Adolescens si cum virgine peccaverit,' I. annum poeniteat. Si una tantum vice cum illa peccat, aliquid levigetur, et tamen usque ad annum plenum. § 3. Si intra viginti annos puella et adolescens peccaverint, I. annum, et in secundo III. XL^{mas}. ac legitimas ferias. Si propter hoc peccatum servitio humano addicti sunt, III. XL^{mas}. Si nitens tantum et non inquinatus, xx. diebus pœniteat. § 4. Mulier qualicunque molimine, aut cum seipsa, aut cum altera fornicans, III. annos pœniteat. § 5. 'Si sæpe fornicatur laicus cum laica, III. annos ille posniteat; similiter et illa.' Et quanto sæpius ac

^{1/} Si quis fornicaverit cum virgine, N.

² Si cum marita, 1111. annos; 11. integros, 11. alios in xL^{mis} tribus; et 111. dies in ebdomada peniteat. N. add.

^{3'} Qui sepe fornicaverit, primus canon judicavit x. annos peniteat; secundus canon vII.; sed pro infirmitate hominis, per concilium dixerunt III. annos penitere. N.

⁴ Si cujus uxor fornicata fuerit, licet dimittere eam et aliam accipiere; hoc est, si vir dimiserit uxorem suam propter fornicationem, si prima fuerit uxor, licitum est ut aliam accipiat uxorem; illa vero, si voluerit penitere sua peccata, post duos annos alium accipiat

negligentius, tanto magis et tempus addatur et modus." § 6. Si quis laicus cum multis laicis, id est, cum vacantibus fæminis, unaque cum propinquis fornicationem imitatur, simulque latrocinio serviens, XII. annos pœniteat, III. in pane et aqua. § 7. Si quis laicus fornicationem imitatur cum multis laicis vacantibus, simulque cum pecude peccans, vii. annos pœniteat. Si puer est, v. annos. § 8. Viri inter fæmora fornicantes. 1. annum pæniteant. Si iterant, 11. annos pæniteant. vero inter crura fornicantur, si pueri sunt, 1. annum; si viri, annos II.; si autem in consuetudinem vertunt, III. annos. § 10. Qui concupiscit mente fornicari, et non potuerit fornicari cum ea, id est, quia non vult suscipere eum mulier, 11. annos § 11. Si laicus fornicaverit cum vidua, aut cum puella, 111. annos pœniteat; reddet tamen humiliationis ejus præcium parentibus ejus. Si uxorem non habet, et voluntas illorum et parentum est, ipsam accipiat in uxorem, ita ut annos v. pœniteant simul. § 12. Si quis laicus uxorem habens cum jumento fornicaverit, *111. annos pœniteat. Si uxorem non habens, III. annos pœniteat. § 13. Si quis virgo virgini conjunctus fuerit, si voluerint parentes ejus, sit uxor illius; tantum 1. annum pœniteant, et sint conjugales; si vero noluerint, 11. annos pœniteant. § 14. Si quis laicus fornicaverit cum sanctimoniali, vel Deo dicata, v. annos pœniteat. quis virginem vel viduam rapuerit, 1111. annos pœniteat. § 16. Si quis, per concupiscentiam vel libidinem, per seipsum fornicaverit, 1. annum pœniteat. § 17. Vidua stuprum faciens annos III. pœniteat. Si usque ad generationem filii, III. annos integros, et 11. annos lævius. Si occiderit in utero, x. annos; § 18. Qui in æcclesia consi post nativitatem, xv. annos. secrata nubunt, vii. annos pœniteant. § 19. Si quis cum uxore sua retro nupserit, ²pœniteat quomodo de animali, id est annum. Si in consuetudine habuerit, 111. annos.' in terga nupserit, 3111. annos pœniteat, quia sodomiticum scelus Si in consuetudine habuerit, vii. annos pœniteat.

* IIII.?

virum. Mulieri non licet virum dimittere, licet sit fornicator. Basilius hoc judicavit. Maritus si ipse seipsum in furto aut fornicatione servum facit, vel quocunque peccato, mulier, si prius non habuit conjugium, habet potestatem, post annum, alterum accipere virum. Diaconi autem relictæ non licet. P.Q. add.

¹ vel 111. xL^{mas}. Si seipsos coinquinant, xL. dies. N. add.

^{2/}xL. diebus peniteat primo. N.

^{3/}penitere debet quasi ille qui cum animalibus. N.

§ 20. Qui diutius fornicationi, perjurio, latrocinio, cæterisque flagitiis serviunt, xv. annos pœniteant. § 21. Si quis vir aut mulier vovet virginitatem, et postea jungitur in matrimonio, non dimittatur illud, sed pæniteat III. annos. § 22. Vota stulta frangenda sunt, et inportabilia. § 23. Mulieri non licet votum vovere, sine consensu viri; sed et si voluerit, dimitti potest, et pœniteat judicio sacerdotis. § 24. Puellæ quæ non parentum coactæ imperio, sed spontaneo judicio, virginitatis propositum atque habitum susceperunt, si postea nuptias diligunt, prævaricantur, etiam si consecratio non accessit, cujus utique non fraudarentur munere, si in proposito permane-Talibus studiose remedium quærentibus pænitentia non denegetur, quia Deus dixit: 'Cum conversus ingemueris, salvus eris:' v. annos pœniteant, et nunquam sine pœnitentia fiant, et ultra se non conjungant. § 25. Si laicus cum meretrice fornicaverit, IIII. annos pœniteat. Si in consuetudine habuerit, v. annos. Similiter et illa pæniteat; quia Christiana religio fornicationem in utroque sexu pari ratione condempnat. § 26. Si laicus fornicationem cum multis fæminis imitatur, id est cum vacantibus, sive cum sanctimonialibus, ita ut etiam numerum nesciat, x. annos pœniteat, 111. in pane et aqua. Si vero cum uxore alterius, simulque cum sanctimoniali et vacantibus sæpe fornicationem imitatur, x11. annos pæniteat, 111. in § 27. Si filia in domo parentum fornicationem pane et aqua. facit, III. annos pœniteat. § 28. Si vir et mulier conjunxerint se in matrimonio, et postea dixerit mulier de viro, non posse nubere cum eo; si quis poterit probare quod verum sit, accipiat § 29. Puellam desponsatam non licet parentibus alium. dare alteri viro, nisi illa omnino resistat; tamen ad monasterium licet ire, si voluerit; illa autem desponsata, si non vult habitare cum eo viro, cui est desponsata, reddatur ei pæcunia quam pro ipsa dedit, et tertia pars addatur; si autem ille noluerit, perdat pæcuniam quam pro illa dedit. § 30. Mulier quæ semen viri sui in cybum miserit, ut inde amoris ejus plus accipiat, vII. annos pœniteat. Similiter illa pœniteat, quæ semen viri sui neglexerit, aut in arborem putridam ponit, ut § 31. Uxor quæ sanguinem viri sui non generet liberos.1 pro remedio gustaverit, xL dies in pane et aqua pœniteat.

¹ Qui semen in os miserit, VII. annos peniteat; hoc pessimum malum. Alias ab eo judicatum est, ut ambo usque in finem vitæ peniteant, vel xxII. annos, vel, ut superius, VII. *N. add.*

§ 32. Si servum et ancillam dominus amborum in matrimonio conjunxerit, postea liberato servo vel ancilla, si non potest redimi qui in servitio est, libero licet, sicut quibusdam placet, ingenuo conjungere; sed tamen, juxta sententiam Domini, mœchus probatur. Qui vero taliter egerit, id est, ut primam

quis laicus cum pecude peccaverit, vel jumento, quidam x. annos, quidam vii. annos, id est sueti; quidam iii., quidam i., quidam c. diebus, ut pueri.' Oportet discretionem esse inter qualitatem pecudum vel hominum, sicut supra diximus. § 35. Si qua Christiana fæmina a perfidis Judæis munera suscipit, ac cum eis voluntarie fornicationem fecerit, annum integrum separetur ab æcclesia, et cum magna tribulatione vivat; deinde ix. annos pœniteat. Si autem liberos genuerit, xii. annos pœniteat. Si invita passa est, v. annos pœniteat. autem cum gentili Christiana fæmina voluntarie fornicationem fecerit, vii. annos pœniteat. Si vero invita passa est, iiii. annos pœniteat, nisi forte hoc eveniat, quod Apostolus dicit: 'Sal-

uxorem propter servitium humanum dimittat, et postea libera-* liberam ? tam* deducat uxorem, 111. annos pœniteat, 1. in pane et aqua; quia contra mandatum Domini fecit. Similiter et mulier pœniteat, si taliter fecerit. § 33. Si quis liber ancillam, aut suam aut alterius, in matrimonio acceperit, non habet licentiam dimittere eam, si ante cum consensu amborum conjuncti sunt.¹ Si vero dimiserit eam, et aliam ducit uxorem, sive ancillam sive liberam, III. annos pœniteat, I. in pane et aqua.

XVII. DE OBSERVATIONE CONJUGATORUM.

vatur enim vir infidelis per mulierem fidelem.'

§ 1. Qui in matrimonio sunt, abstineant se in III. XL^{mas}., et in Dominica nocte, et in Sabbato, et feria 1111. et vi. quæ legitimæ sunt, et III. noctes abstineant se antequam communicent, et 1. postquam communicent, et in Pascha usque ad octabas; inde ait Apostolus: 'Nolite fraudare invicem, nisi ex consensu, § 2. Mulier III. menses abstiut vacetis orationi ad tempus.' neat se a viro ante partum, quando concipit; et post partum,

¹ Si prægnantem quis liberam comparat, liber est ex ea generatus. Qui ancillam prægnantem mulierem liberat, quem generat est servus.

^{2/}Qui sepe cum masculo aut cum pecude fornicat, x. annos ut peniteret judicavit. Item aliud. Qui cum pecoribus coierit, xv. annos peniteat. Qui coierit cum masculo post xx. annos, xv. peniteat. Si masculus cum masculo fornicaverit, x. annos peniteat. N.

XL. diebus et noctibus, sive masculum sive fæminam genuerit; et tunc cum lumine et oblatione intret æcclesiam.1 Qui autem nupserit his diebus, xL. dies pæniteat. § 3. Qui autem in xL^{ma}. ante Pascha cognoscit mulierem suam, et non vult abstinere, 1. annum pœniteat, vel suum precium reddat ad æcclesias, vel pauperibus dividat, vel xxvi. solidos reddat. Si per ebrietatem vel aliqua causa acciderit, sine consuetudine, x1. dies § 4. Qui vero in XL^{ma}. post Pentecosten, aut ante Natale Domini, non vult a sua conjuge abstinere, xL. dies pœniteat. Si vero per ebrietatem fecerit, et non fuit ei consuetudo, xx. dies poeniteat. § 5. Si quis cum muliere tempore menstrui sanguinis nupserit, xxx. dies pœniteat. § 6. Qui Dominica nocte, vel natale Sanctorum, nupserit, vII. dies poeniteat. § 7. Qui IIII. feria et vi. seu sabbato nupserit. III. dies pœniteat. § 8. Mulieres menstruo tempore non introeant æcclesiam neque communicent, nec sanctæmoniales nec laicæ. Si præsumant, 2111. dies pæniteant. liter pœniteant quæ intrant æcclesiam ante mundum sanguinem post partum, id est, ante xL. dies.8 § 9. In primo conjugio, presbiter debet missam agere, et benedicere ambos, sicut in Libro Sacramentorum continetur, et postea abstineant se ab secclesia xxx. diebus; quibus peractis, pœniteant 4xL. dies et vacent orationi, et postea communicent cum oblatione. § 10. Presbiterum in nuptiis bigami prandere non convenit; quia, cum pœnitentia bigamus egeat, quis erit presbiter, qui, propter convivium, talibus nuptiis possit præbere concessum? § 11. Si quis vir, aut si quæ mulier, Dominica die, vel in natale Sanctorum, panes Deo offerant, necnon et communicaverint, non debent sequenti nocte nubere; quod si fecerint, et nolent se abstinere, totam ebdomadam jejunent. Quod si propter ebrietatem acciderit, sine consuetudine, IIII. dies poeniteant.5

²111. ebdomadibus jejunent. N.

¹ Mulieri quoque licet per omnia ante communicare, quando debet parere. *P. add.*

³ Qui autem nupserit his temporibus, xx. dies peniteat. Qui nubit • Dominico, petat a Deo indulgentiam et 1. vel 11. seu 111. diebus peniteat. Si menstruo tempore coierit cum ea, xL. dies jejunet. N. add.

⁴ xv. P.

⁵ Legitimum conjugium non licet separare, sine consensu amborum; potest tamen alter alteri licentiam dare accedere ad servitutem Dei in monasterio, et sibi nubere, si in primo conjugio erat, secundum

XVIII. DE FORNICATIONE CLERICORUM SIVE SANCTI-MONIALIUM.

§ 1. Æpiscopi, preshiteri, diaconi, fornicationem facientes, in canone præcipitur, ut gradum perdant, et pœniteant, judicio æpiscopi; tamen communicent.1 § 2. Æpiscopi, presbiteri, diaconi, monachi, subdiaconi, et reliqui clerici, cum sanctimonialibus aut Deo dicatis fornicationem imitantes; clerici v. annos pœniteant, II. in pane et aqua; diaconi et monachi vIII. annos, IIII. in pane et aqua; presbiteri x. annos, v. in pane et aqua; æpiscopi xII. annos, vII. in pane et aqua. Similiter et illæ pæniteant, si cum talibus personis voluntarie fornicationem § 3. Si vero, quod absit, æpiscopi, presbiteri, diaconi, monachi, subdiaconi, et reliqui clerici, ex talibus personis filios procreant, tunc augenda est pœnitentia; id est, clerici vi. annos pœniteant, iii. in pane et aqua; subdiaconi viii. annos, IIII. in pane et aqua; diaconi et monachi x. annos, v. in pane et aqua; presbiteri xII. annos, vII. in pane et aqua; æpiscopi xv. annos, vIII. in pane et aqua. Similiter et illæ pœniteant, si ex talibus personis filios generant. Si autem occiderint, usque ad exitum mortis pœniteant. § 4. Si qui æpiscopi, presbiteri, diaconi, monachi, subdiaconi, et reliqui clerici, cum uxore alterius adulterium fecerint; clerici v. annos, II. in pane et aqua; diaconi et monachi vii. annos, IIII. in pane et aqua; presbiteri x. annos, v. in pane et aqua. Si autem filios procreant, tunc augenda est pœnitentia, sicut superius § 5. Si quis clericus, vel superioris gradus, qui uxorem habuit, et post conversionem vel honorem clericatus iterum eam cognovit, sciat sibi adulterium commisisse; sicut superiori sententia, unusquisque juxta ordinem suum pœniteat. § 6. Presbiter vel diaconus, si uxorem extraneam duxerit, in conscientia populi deponatur. Si vero adulterium perpetraverit cum illa, et in conscientia populi devenit, projiciatur

Græcos; et tamen non est canonicum. Sin tamen in secundo erat, non licet tertio, vivente viro vel uxore. P. add.

¹ Si quis, postquam se voverit Deo, sæcularem habitum acceperit, iterum ad aliquem gradum accedere omnino non debet; nec mulier meruit velari, multo magis ut non dominaretur in ecclesia. Si quis concubinam habet, non debet ordinari. Similiter hoc: Qui occiderit hominem, seu fornicationem fecerit, deponatur. Puerum monasterii non licet ordinare ante xxv. annos. Si quis viduam accipit ante baptismum, vel post baptismum, non potest ordinari, sicut bigami. N. add.

extra æcclesiam, et pœniteat inter laicos quamdiu vixerit. § 7. Æpiscopi, et presbiteri, diaconi, monachi, subdiaconi, et reliqui clerici, si cum laicis fæminis fornicationem imitantur, id est, cum viduis, vel puellis; clerici IIII. annos pœniteant, I. in pane et aqua; subdiaconi v. annos, III. in pane et aqua; presbiteri viii., iiii. in pane et aqua; æpiscopi x., v. in pane et Similiter et illæ feminæ pæniteant, si cum talibus personis junctæ fuerint, juxta ordinem uniuscujusque; quia Christiana religio fornicationem in utroque sexu pari ratione condempnat. § 8. Si autem, causa celandi, filios taliter generatos occiderint, antiqua quidem diffinitio, usque ad exitum vitæ, non solum eas, sed etiam quæ agunt secum ut utero conceptos excutiant, ab secclesia removet; nunc humanius diffinitum est, ut x. annos pœniteant, et nunquam sine aliqua pœni-§ 9. Si æpiscopus cum quadrupede fornicat, VII. annos pœniteat; presbiter v.; diaconus et monachus IIII.; subdiaconus III.; clericus II. Si in consuetudine habuerint, æpiscopus x. annos pœniteat, IIII. in pane et aqua; presbiter VII. annos pœniteat, III. in pane et aqua; diaconus et monachus v. annos peniteant, II. in pane et aqua; subdiaconus IIII. annos pœniteat, 1. in pane et aqua; clericus 111., dimidium in pane et § 10. Item si æpiscopi, presbiteri, diaconi, monachi, subdiaconi, et reliqui clerici, fornicationem cum propinquis imitantur, aut forte cum illa fæmina peccaverint, quam antea cognatus eorum habuit, primitus anathematizentur, deinde pœniteant; clerici v. annos, 11. in pane et aqua; subdiaconi viii. annos, iii. in pane et aqua; diaconi et monachi x. annos, IIII. in pane et aqua; presbiteri xII. annos, v. in pane et aqua; æpiscopi xv. annos, vi. in pane et aqua. Similiter illæ pæniteant, si cum talibus personis voluntarie peccaverint. Si autem ex talibus personis filios genuerint, tunc augenda est utrisque poenitentia, id est, clerici vIII. annos; subdiaconi IX.; diaconi et monachi xII.; presbiteri xv.; æpiscopi xXI. Similiter et illæ § 11. In canone qui dicitur Apostolorum, scrippœniteant. tum est, ut æpiscopus, presbiter, diaconus, qui in fornicatione, aut perjurio, aut furtu, captus est, deponatur, tamen non comminione privetur; quia non vindicat Deus bis in id ipsum; sed tamen longo tempore convenit eis duriter pœnitentiam agere, in vigiliis, in jejuniis, in orationibus, in elemosinis; et per multas lacrimas, veniam a Deo quærere. Post annos vero 1111. vel v., aliquid eis levigandum est, ita tamen ut nunquam sine pœnitentia fiant. § 12. Item, si clericus, aut monachus, vel

diaconus, aut presbiter, cum multis fæminis fornicationem imitatur, id est, cum uxore alterius, et cum sanctimonialibus, simulque cum nonnullis vacantibus, aut cum propinquis; clerici pœniteant x. annos; subdiaconi x11.; diaconi et monachi xv.; presbiteri xx.; et nunquam postea sine pœnitentia fiant. filios ex talibus genuerint, tunc augenda est pœnitentia. § 13. Æpiscopi, presbiteri, diaconi, subdiaconi, votum monachicum habentes, cum sanctimonialibus vel Deo dicatis fornicationem imitantes, subdiaconi viii. annos pœniteant, iii. in pane et aqua; diaconi x. annos pœniteant, IIII. in pane et aqua; presbiteri xII. annos, v. in pane et aqua; æpiscopi xII. annos, vr. in pane et aqua. Similiter et illæ pæniteant. Si autem genuerint liberos, tunc augenda est pœnitentia, id est, subdiaconi x. annos, IIII. in pane et aqua; diaconi xIL annos, v. in pane et aqua; presbiteri xv. annos, vi. in pane et aqua; æpiscopi xx. annos, vII. in pane et aqua. § 14. Item æpiscopi, presbiteri, diaconi, subdiaconi, votum monachicum habentes, si fornicationem cum laicis fæminis imitantur, id est, cum viduis, aut puellis; subdiaconi vi. annos, iii. in pane et aqua; diaconi VIII., IIII. in pane et aqua; presbiteri x. annos, v. in pane et aqua; episcopi xII. annos, vI. in pane et aqua. Similiter et illæ pæniteant, si cum talibus personis conjunctæ fuerint. § 15. Item æpiscopi, presbiteri, diaconi, subdiaconi, votum monachicum habentes, si cum uxore alterius adulterium fecerint, pœniteant sicut supra dictum est de sanctimonialibus, vel Deo § 16. Si quis clericus, aut monachus, postquam se Deo voverit, ad secularem habitum iterum reversus fuerit, aut uxorem duxerit, x. annos pœniteat, 111. ex his in pane et aqua, et nunquam postea in conjugio copuletur. Quod si noluerit, sancta synodus, vel sedes apostolica, separabit eos a communione et convivio catholicorum. Similiter et mulier, postquam se Deo voverit, si tale scelus admiserit, pari sententiæ subjacebit. § 17. Monachus quærens fornicationem et non inveniens, unum annum et dimidium pœniteat. quis clericus aut monachus concupiscit mulierem alienam, et non potest peccare cum ea, id est, aut non vult eum recipere mulier, aut locum peccandi non invenit, 1. annum pæniteat, medium in pane et aqua; diaconus 11. annos; presbiter 111.; sepiscopus IIII. annos, I. in pane et aqua. § 19. Laicus habens uxorem maculans se cum ancilla Dei, vi. annos pœniteat, 11. annos in pane et aqua. Si genuerit ex ea, v11. annos pœniteat, 11. in pane et aqua. Similiter et illa pœniteat.

autem occiderint, xv. annis. Si sine conjugio est, v. annos. § 20. Sanctimonialis fæmina, si cum sanctimoniali per aliquam machinam fornicaverit, vII. annos pœniteat. Si cum laica, v. annos, I. in pane et aqua.

XIX. DE ADULTERIO.

§ 1. Apostolus, inter alia vitia enumerando, dicit: 'Neque adulteri regnum Dei possidebunt.' § 2. Si quis laicus propriam uxorem dimiserit, uxoremque alterius duxerit, viii. annos pœniteat. § 3. Si quis vacans uxorem alterius polluit, v. annos poeniteat. § 4. Si uxoratus virginem polluit, similiter poeniteat. & 5. Si uxoratus cum multis vacantibus fæminis unaque cum uxore alterius se polluit, viii. annis pæni-§ 6. Qui dimiserit uxorem propriam, aliamque in conjugio duxerit, non tamen uxorem alterius, sed vacantem quempiam, vel virginem, vii. annos pœniteat. § 7. Si uxoratus cum ancilla sua dormierit, 1. annum pœniteat; et in secundo anno, III. quadragesimas, cum legitimis feriis, et in tribus mensibus primis, a sua uxore se abstineat. Illa si invita passa est, xL dies; si consentiens est, III. xL^{mas}. ac legitimas ferias. § 8. Si uxoratus intrat ad ancillam suam, eamque concubinam habuerit, 1. annum pœniteat, eamque liberam dimittat, maxime si ex ea filium genuerit. § 9. Si ab aliquo sua discesserit uxor, ¹et iterum reversa fuerit, suscipiat eam, et ipsa 1. annum in pane et aqua pœniteat. Si vero ille interim aliam duxerit, similiter poeniteat, eamque dimittat. § 10. Si mulier suaserit alterius mulieris maritum ut cum illa dormiat, et ille ei consentit in tali peccato, illa sit excommunicata a Christianis, ille vero vII. annos pœniteat, I. in pane et aqua. § 11. Si quis adulterare voluerit et non potuerit, id est, si non fuerit susceptus, xL. dies pæniteat. § 12. Si quis legitimam uxorem habens dimiserit illam, et aliam duxerit, vii. annos Illa vero quam duxerit non est illius, ideo non ²pœniteat.

^{1/1.} annum peniteat ipsa, si impolluta revertitur ad eum; ceterum 111. Ipse unum, si aliam duxerit. Mulier adultera v11. annos peniteat; et de hoc in canone eodem modo dicitur. N.

² cum tribulatione peniteat, vel xv. levius. Qui maculat uxorem proximi sui, III. annos absque uxore propria jejunet in ebdomade II. dies, et III. xL^{mas}. Si virgo sit, unum annum peniteat, sine carne vinoque et medone. Si puellam Dei maculaverit, III. annos peniteat, sicut supra diximus, licet pariat an non pariat filium ex ea. Si ancilla ejus sit, liberet eam, et sex menses peniteat. N.

manducet, neque bibat, neque omnino in sermone sit cum illa quam male accepit, neque cum parentibus illius; ipsi tamen, si consenserint, sint excommunicati; illa vero excommunicatio talis fiat, ut neque manducent, neque bibant cum aliis Christianis, neque in sacra oblatione participes existant, et a mensa Domini separentur, quousque fructum pœnitentiæ dignum, per confessionem et lacrimas, ostendant. § 13. Si cujuslibet hominis mortua fuerit uxor, habet potestatem, post unum men-§ 14. 1 Mortuo viro, post annum sem, accipere alteram. licet mulieri alterum tollere virum, vel, sicut quibusdam placuit, post mensem; ne crimen fornicationis incurrat.' gamus tamen 1. annum, et in 1111. et vi. feriis, et in tribus xLmis. abstineat se a carnibus; non dimittat tamen uxorem. § 16. 2 Trigamus ut superius, id est, III., IIII., vel v., vel plus; III. annos, in IIII. et vi. feriis, et in III. xLmis.' abstineat se a carnibus; tamen non separentur. Sanctus Basilius hoc judi-§ 17. Si cujus uxor adulterata fuerit, vel si ipsa adulterium commiserit, vII. annos pœniteat. § 18. Mulier si 'adulterata est, et vir eius non vult habitare cum ea, dimittere eam potest, juxta sententiam Domini, et aliam ducere: illa, si vult in monasterium intrare, IIIItam. partem suæ hereditatis obtineat.5 § 19. Cujuscumque mulier adulterium perpetraverit, in potestate erit viri ejus, si vult, reconciliari mulieri adulteræ; si reconciliaverit, non proficiscitur in clero vindicta illius, ad proprium enim virum pertinet. § 20. Vir et mulier in matrimonio juncti, si ille voluerit dimittere eam et illa noluerit, vel illa voluerit dimittere eum, vel ille infirmatus, seu illa infirmata, tamen omnino, nisi cum consensu amborum, non separentur.6 § 21. Mulier quæ vovet ut post obitum viri ejus non accipiat alium, mortuo illo, prævaricatrix accipiat

^{1/} Muliere mortua, licet viro post mensem alteram accipere. Mortuo viro, post annum licet mulieri alterum tollere virum. P.

^{2/}Trigamus et supra, id est in quarto aut quinto vel plus vII. añ IIII. feria, et in vI. et in tribus xL^{mis}. N.

³ In canone autem IIII. annos peniteat. N. add.

⁴ adultera P.

⁵ Si non vult, nihil habeat. P. add.

⁶ Legitimum conjugium equaliter licet indie et nocte, sicut scriptum est: 'Tuus est dies et tua est nox.' Si quis dimiserit gentilem uxorem post baptismum, in potestate ejus erit eam habere vel non habere. Simili modo, si quis eorum baptizatus erit, alter gentilis, sicut Apostolus dicit: 'Infidelis autem si discedit discedat.' Ergo cujus uxor infidelis et gentilis, et non potest converti, dimittatur. P.Q. add.

alium, iterumque nupta, pro eo postea pœnitentia mota, si implere vult vota sua, in potestate est viri ejus, utrum impleat § 22. Si quis in sæculari habitu votum voverit, sine consensu æpiscopi, ipse æpiscopus habet potestatem ejus votum mutare, si vult. § 23. Si mulier discesserit a viro suo. despiciens eum, nolens revertere et reconciliari viro, post v. annos, cum consensu æpiscopi, ipse aliam accipiat uxorem. Si continens esse non poterit, III. annos pœniteat; quia, juxta sententiam Domini, mœchus comprobatur. § 24. Si cuius uxor in captivitatem per vim ducta fuerit, et redimi non poterit, post annos vii. potest alteram accipere. Item, si in captivitate ducta fuerit, et sperans quod debet revertere, vir ejus v. annos expectet. Similiter autem et mulier, si viro talia contigerint. igitur vir interim aliam duxerit uxorem, et prior iterum mulier de captivitate reversa fuerit, eam accipiat, posterioremque dimittat. Similiter autem et illa, sicut superius diximus, si viro talia contigerint, faciat.1 § 25. Maritus non debet § 26. Puer usque in xv. annos uxorem suam nudam videre. sit in potestate patris sui, postea seipsum potest facere mona-§ 27. Puella vero xvi. vel xvii. annorum sita in potestate parentum; post hanc ætatem, non licet parentes ejus dare eam in matrimonium, contra ejus voluntatem. § 28. Pater filium suum vii. annorum, necessitate compulsus, 1 potestatem habet tradere in servitium; deinde, sine voluntate filii, licentiam tradendi non habet. § 29. Homo xIII. anno-§ 30. Non licet homini a rum sese potest servum facere. servo suo tollere pæcuniam quam ipse labore suo adquisivit; si autem fecerit, restituat ei quod injuste abstulit, et pœniteat

² Puella autem xIII. annorum sui corporis potestatem habet. P.Q. add.

¹ Si cujus uxorem hostis abstulerit, et ipse eam adipisci non potest, licet aliam tollere: melius est sic facere quam fornicari. Si iterum posthæc uxor illa venerit ad illum, non debet recipi, si aliam habet; sed illa tollat alium virum, si unum ante habuerit. Eadem sententia de servis transmarinis. In tertia propinquitate carnis licet nubere, secundum Græcos, sicut in lege scriptum est: in quinta, secundum Romanos; tamen in tertia non solvunt, si post factum fuerit. Ergo in quinta generatione conjugantur; in quarta, si inventi fuerint, non separentur. In tertia tamen propinquitate non licet uxorem alterius accipere post obitum ejus. Æqualiter vir conjungitur in matrimonio his qui sibi consanguinei sunt, et uxoris suæ consanguineis post mortem uxoris. Duo quoque fratres duas sorores possunt habere; et pater filiusque matrem et filiam. Maritus qui cum uxore sua dormierit, lavet se antequam intret in æcclesiam. P.Q. add.

judicio sacerdotis. § 31. Si quis vir uxorem suam invenit adulteram, et non vult dimittere eam, sed in matrimonio suo adhuc habere, annis duobus pœniteat, duos dies in ebdomada, et ¹111. xL^{mas}; aut quamdiu ipsa pœniteat, abstineat se a matrimonio ejus; quia adulterium perpetravit illa; ipsa vero vii. annos pœniteat. § 32. Si uxoratus uxorem alterius polluit, vii. annos pœniteat. § 33. Qui uxorem simul habet et concubinam, non communicet; tantum unius mulieris conjunctione sit contentus; alias vero vivens, abjiciatur donec desinat, et ad pœnitentiam revertatur; et quando ad pœnitentiam venerit, i. annum pœniteat, et in secundo anno 111. xL^{mas}. cum legitimis feriis.

XX. DE INCESTUOSIS.

§ 1. Si quis monacham, quam Dei ancillam appellant, in conjugio duxerit, anathema sit. § 2. Si quis commatrem spiritalem in conjugio duxerit, anathema sit. § 3. Si quis fratris uxorem duxerit in conjugio, anathema sit. quis neptam duxerit in conjugio, anathema sit. proneptam aut abneptam duxerit in conjugio, anathema sit. § 6. Si quis de propria cognatione, vel quam cognatus habuit, duxerit in conjugio, anathema sit. § 7. Si quis novercam, aut nurum suam, vel socrum suam, duxerit in conjugio, ana-§ 8. Si quis privignam suam duxerit in conjugio, thema sit. § 9. Si quis viduam, nisi desponsaverit, anathema sit. furatus fuerit in uxorem, cum consentientibus eis, anathema § 10. Si quis uxorem legitimam habens, et cum filia ejus, quæ privigna dicitur, forsitan nesciens concubuerit, id est, aut nimio potu sopitus, vel etiam æstimans quod propria uxor sit, v. annos pœniteat, I. in pane et aqua. Si vero scienter taliter peccat, vii. vel xiiii. annos, ii. in pane et aqua. vero, si invita passa est, III. annos pœniteat. Si consentiens est, 1111. pœniteat, dimidium in pane et aqua, et nunquam postea taliter se commisceant. § 11. Si quis sponsam habens, sorori ejus forsitan vitium intulerit, et cohæserit tanquam suæ, hanc autem uxorem duxerit, id est desponsatam, illa vero quæ corrupta est laqueo se peremit; omnes autem hi, qui in hujus facto consentientes sunt, x. annos in pane et aqua redigantur, § 12. Mulier si duobus fratribus secundum statuta canonum. nupserit, abjici eam debere oportet usque ad diem mortis; sed

^{1/}jejunia religionis N.

propter humanitatem, in extremis suis, sacramento reconciliari oportet: illa tamen, ut, si forte sanitatem recuperavit, matrimonio soluta, ad pœnitentiam admittatur. Quod si defuncta fuerit mulier hujusmodi consortio constituta, difficilis erit pœnitentia in vita remanenti; quam sententiam tam viri quam mulieres tenere debent. § 13. Si quis cum matre fornicaverit, xv. annos pœniteat, et nunquam mutet, nisi in die Dominico.1 § 14. Si cum filia vel sorore fornicaverit, 2 similiter § 15. Si quis cum duabus cognatis scienter fornicationem fecerit, primitus anathematizetur, deinde x. annos pæniteat. Similiter et illæ, si consentientes sunt. Si vero quis ignoranter taliter peccat, viii. annos pœniteat; similiter et illa. § 16. Qui cum fratre naturali fornicaverit, ab omni carne se abstineat xv. annis. § 17. Si mater cum filio suo parvulo fornicationem imitatur, 811, annos pœniteat, et 111, xLmas., ac legitimas ferias, et diem 1. in unaquaque ebdomade jejunet ad § 18. Si quis cum spiritali matre peccaverit, primitus, sicut superius dictum est, a sancta æcclesia anathematizetur, deinde viii. annos pœniteat, et nunquam postea cum illa se conjungat. Similiter et illa pæniteat, si ei consentit. Si invita passa est, v. annos. § 19. Si quis cum pronepta, aut abnepta, vel cum trinepta peccaverit, primitus separetur a cœtu fidelium, deinde pœniteat vi. vel vii. vel x. annis, et ulterius non se cum talibus conjungat. Similiter et illa pœniteat, Si vero invita passa est, III. annos; quia si ei consentit. scriptum est: 'Omnis homo ad proximam sanguinis sui non accedet, ut revelet turpitudinem ejus.' Et iterum: 'Anima quæ fecerit quippiam ex istis, peribit de medio populi sui.' Item in lege: 'Non accipiet homo uxorem patris sui, nec revelabit operimentum ejus.' Item: 'Turpitudinem uxoris fratris tui non revelabis.' Item: 'Qui enim duxerit uxorem fratris sui, rem facit inlicitam; quia turpitudinem fratris sui revelavit.' Item: 'Cum uxore proximi tui non coibis, nec seminis com-Alibi quoque scriptum est: 'Inter mixtione maculaberis.' sex igitur propinquitatis gradus, ad conjugalem copulam nemini accedere convenit, nec eam quam aliquis ex propria consangui-

¹ Similiter alio modo dicitur, ut cum peregrinatione perenni, vII. annos peniteat. N. add.

² x1111. P.

^{*}III. annos se abstineat a carne, et diem unum jejunet in ebdomada usque ad vesperam. N. Reg.

nitate conjugem habuit, in conjugium ducere nulli profecto Christianorum licet, vel licebit; quia incestuosus talis coitus abhominabilis est Deo.' Item: 'Si quis autem de propria cognatione, vel quam cognatus habuit, duxerit in conjugio, primitus anathematizetur, deinde vii, vel x. annos pœniteat. Similiter et illa, si consensit.' Si quis vero ignoranter taliter § 20. Gregorius dicit: peccat, III. vel v. annos pœniteat. Si quis monacham, vel commatrem spiritalem, vel fratris uxorem, vel neptam, vel novercam, vel consobrinam, vel de propria cognatione, vel quam cognatus habuit, duxerit uxorem, anathema sit.' Item: 'Si quis cum duabus cognatis fornicationem fecerit, primitus anathematizetur, deinde vii. vel x. annos pœniteat. Sane quibus conjunctio inlicita interdicitur, habebunt ineundi melioris conjugii libertatem.' quis cum noverca sua, aut nuru, aut socru, peccaverit, anathematizetur, sicut superius dictum est, deinde x. annos pœniteat. Similiter illæ, si consentientes sunt. Si invitæ passæ sunt, vii. annos pœniteant. § 22. Si uxoratus cum uxore cognati sui frequenter peccat, primitus anathematizetur, deinde viii. annos Similiter et illa si ei consentit. Si vero invita passa est, v. annos. § 23. Si quis concubinam habens eamque dimiserit, ac legitime uxorem duxerit, si forte postea frater ejus aut propinquus cum ea scienter peccaverit, primitus, propter tam nefariam rem, ab æcclesia separetur, deinde x. annos Similiter illa, si ei consentit. Si vero invita passa pœniteat. est, vii. annos pœniteat. § 24. Si pater et filius cum una fæmina scienter peccaverint, primitus anathematizentur, deinde xv. annos pœniteant, et nunquam cum illa se conjungant. vero ignoranter taliter peccaverint, id est, ut illa illum cum quo primitus peccaverat celat, ut liberius cum sequenti possit peccare, xII. annos pœniteant; illa vero abjiciatur usque ad mortem; verumtamen in extremis reconciliari oportet. quis cum illa fæmina peccaverit, quam cognatus suus in conjugio habuerit, anathematizetur, deinde vii. annos pœniteat. Similiter illa, si consentiens est ei. Si vero invita passa est, IIII. annos pœniteat. § 26. Si quis cum illa fæmina scienter peccaverit, cum qua forsitan avunculus, vel alius quislibet cognatus suus fornicationem perpetraverit, anathematizetur primitus, deinde vii. annos pœniteat. Similiter et illa, si consen-Si vero invita passa est, v. annis pœniteat. quis ignoranter taliter peccaverit, v. annos pœniteat, et nunquam se cum talibus copulet.

XXI. DE HOMICIDIIS.

§ 1. Qui voluntarie homicidium fecerint, pænitentiæ quidem jugiter se submittant; circa exitum autem vitæ communione digni habeantur. § 2. Qui non voluntarie sed casu homicidium perpetraverit, v. annos pœniteat. § 3. Mulieres quæ fornicantur et partus suos necant, et eas quæ agunt secum, ut utero conceptos excutiant, antiqua quidem diffinitio usque ad exitum vitæ eas ab æcclesia removet: nunc humanius diffinitum est, ut x. annos pœniteant. § 4. Mulier partum suum ante dies xL. sponte perdens, annum pæniteat. Si vero post xL. dies, 1111, annos pœniteat.' Si vero postquam animatus fuerit, quasi homicida, id est, x. annos; sed distat multum, utrum paupercula, pro difficultate nutriendi, an fornicaria, causa sui § 5. 2 Mulier si voluntarie abortum sceleris celandi, faciat. fecerit, x. annos pœniteat.' § 6. Mulier si aliquem interemerit malitia sua, id est, per poculum aut per artem aliquam, ⁸viii. annos pœniteat. Si paupercula est, ⁴v. annos. mater filium suum occiderit, xv. annos pœniteat, et nunquam mutet, nisi die Dominico, et festis diebus. & 8. Si mulier paupercula filium suum occiderit, vII. annos pœniteat.⁵ 8 9. Si quis occiderit monachum, vel clericum, arma relinquat, et Deo serviat. Quod si hoc noluerit, vii. annos peniteat, esi casu perpetraverit; si autem voluntarie fecerit, usque ad exitum vitæ peniteat.' § 10. Qui autem æpiscopum, vel presbiterum, aut diaconum occiderit, regis judicium est de eo. § 11. Si quis laicus laicum, odii meditatione, vel possidendæ hereditatis ejus causa, voluntarie occiderit, sicut superius dictum est, usque ad exitum vitæ pæniteat; verum in extremis, communionem mereatur consequi. § 12. Si quis servum proprium, sine conscientia judicis, occiderit, excommunicationem, vel pœnitentiam biennii, reatum sanguinis emundabit.

^{1&#}x27;ut homicida peniteat. N.

²/Mulieres que abortivum faciunt antequam animam habeat, 1. annum, vel 111. xL^{mas}. vel xL. diebus, juxta qualitatem culpæ, peniteant; et postea, id est post xL. dies accepti seminis, ut homicida peniteat, id est 111. annos in 1111¹². feria et vI. et in 111. xL^{mis}. Hoc secundum canones decennium judicatur. N. add.

³ VII. Reg. 4 IIII. Reg.

⁵ In canone dicitur, si homicida sit, x. annos peniteat. N. add.

^{6&#}x27; in judicio episcopi est. N.

[&]quot;si non vult arma relinquere, peniteat VII. annos; sine carne et vino III. annos. N. Hr. M.

§ 13. Si fæmina, furore zeli accensa, flagellis verberaverit ancillam suam, ita ut infra diem tertium animam cruciatu effundat, et quod incertum sit, voluntate an casu occiderit; si voluntate, vii. annos; si casu, per quinquennii tempora, ac legitima pœnitentia, a communione placuit abstinere. Quod si infra tempora constituta fuerit infirmata, accipiat communionem. § 14. Si servus per jussionem domini sui hominem occiderit, 1xL. dies in pane et aqua pœniteat; in tribus xLmis. cum legitimis feriis, a carne et potu abstineat. Dominus vero ejus, qui § 15. Qui occiderit hominem hoc jussit, x. annos pœniteat.' in publico bello cum rege, ²ut supra de servo, similiter pœni-§ 16. Si clericus homicidium fecerit, et proximum suum occiderit, usque ad exitum vitæ, sicut superius dictum est, pœniteat. Si vero casu fecerit homicidium, x. annos pœniteat. § 17. Si diaconus et presbiter homicidium fecerint, deponantur, et pœniteant judicio æpiscopi. § 18. Si quis patrem aut matrem casu occiderit, xv. annos pœniteat. Si quis voluntarie tale homicidium fecerit, duriter valde exul, usque ad exitum § 19. Si quis casu filium suum occiderit, xII. vitæ pæniteat. Si vero voluntarie, usque ad exitum vitse, annos pœniteat. exul poeniteat. § 20. Qui casu patrem vel matrem vulneraverit, 11. annos pœniteat. Si voluntarie fecerit, eumque volens § 21. Si quis forte casu fraoccidere, vii. annos pœniteat. trem, aut sororem, aut avunculum, vel patruum, aut amitam, vel quemlibet propinquum, occiderit nolens, x. annos pœniteat. Si vero per iram vel odium quis tale homicidium fecerit, duriter exul, usque ad exitum vitæ pœniteat. § 22. 8 Si quis clericus, pro ultione propinqui, aut pro vindicta fratris, hominem occiderit, x. annos pœniteat.' 'Mihi vindictam, ego retribuam, dicit Dominus.' Et iterum: 'Non vosmetipsos desendentes, karissimi, sed date locum iræ.' Si vero vult reddere propinquis pæcuniam æstimationis, brevior erit pænitentia.4 laicus alium percusserit baculo et lapide, et sanguinem effuderit, XL dies in pane et aqua pœniteat; si clericus L dies; si

^{1/}xL. diebus abstineat se ab ecclesia. N.

^{2&#}x27;xL. dies peniteat. Si per iram, III. annos; si casu I. annum. Si per poculum vel artem aliquam, IIII. annos aut plus. Si per rixam, annos x. peniteat. N.

³/Qui occiderit hominem pro vindicta fratris, III. annis peniteat. In alio loco, x. annos dicitur penitentia. Homicida autem x. vel vII. annis. N. Hr. M.

⁴ i. e. dimidio spatii. N. add.

diaconus vi. menses; presbiter annum i. pœniteat. quis liber, jubente seniore suo, hominem innocentem occiderit, annum I. in pane et aqua pœniteat, et sequentes duos, III. xL^{mas}, cum legitimis feriis, in pane et aqua. § 25. Qui per rixam ictu debilem vel deformem hominem fecerit, reddat impensas in medicos, et maculæ precium, et opus ejus donec sanetur restituat, et dimidium annum pœniteat.1 ad feriendum hominem surrexerit, volens eum occidere, 111. septimanas in pane et aqua pœniteat. Quod et si vulneraverit eum, xL dies in pane et aqua pœniteat. Si clericus fuit, vII. menses; si vulneraverit eum, annum totum. Si diaconus vel presbiter, annum totum; si vulneraverit, 11. annos pœniteat. Sed et pæcuniam pro modo vulneris, licet lex non commendat, cui inflixit tribuat, ne lesus scandalizetur. § 27. Qui ictum proximo dederit, et non nocuit, III. dies in pane et aqua pœniteat. Si clericus est, vII. dies; subdiaconus, x. dies; diaconus. xv. dies; presbiter, xx. § 28. Si quis quodlibet membrum voluntate sua truncaverit, III. annos pœniteat, I. ex his in pane § 29. Si quis laicus amputaverit sibi virilia, III. annos pœniteat, i. in pane et aqua; quia sui est insidiator existens: clericus IIII. annos. § 30. Si quis in gradu est, et semetipsum abscidit, omnino dampnetur; quia suus est homicida, et eius conditionis inimicus. § 31. Parvuli invicem percutientes se, aut vapulent, aut vii. dies pœniteant. vero adolescentes se percutiunt, ita ut sanguinem effundant, xL dies poeniteant. § 33. Qui præbent ducatum barbaris, IIII. annos pœniteant, si tamen non acciderit strages Christianorum: si vero strages Christianorum acciderit, vel incendium æcclesiarum, projectis armis, usque ad mortem, mundo § 34. Infans infirmus et paganus, commortui, pœniteant. mendatus presbitero, si moritur sine baptismo, presbiter depo-Si neglegentia parentum fuerit, 2111. annos poeniteant. I. in pane et aqua.' § 35. Si quis ad homicidium faciendum consenserit, et factum fuerit, VII. annos pœniteat, I. in pane et aqua. Si quis voluit et non potuit facere, 111. annos, dimidium § 36. Si quis laicus infantem suum oppresin pane et aqua.

¹ Si non habuerit, unde reddat, an. 1. pœniteat. P. add.

²1. annum peniteat. Et si moritur infans trium annorum sine baptismo, 111. annos peniteant pater et mater. Hoc quodam tempore, quia contigit ad eum delatum, sic judicavit. Qui necat filium suum sine baptismo, in canone, x., sed per concilium, v11. annos peniteat. N.

serit, 111. annos pœniteat, 1. in pane et aqua. Similiter et clericus, vel plus observet; diaconus vi. annos; presbiter viii. § 37. Si quis per iram alium percusserit, et sanguinem fuderit, aut debilitaverit, solvat ei primo mercedem, et medicum quærat. Si laicus est, 1xL. dies in pane et aqua pœniteat : clericus, 2111. xL mas : diaconus, vi. menses : presbiter § 38. Si quis ignoranter alium cum aqua calida annum 1.8 superfuderit, eumque *incenoverit, its ut infra diem tercium animam cruciatu effundat, v. annos pœniteat, 1. in pane et aqua. Si vero mortuus non fuerit, solvat ei primo mercedem, deinde xL. dies in pane et aqua pœniteat. Si laicus per 4 scandalum [sanguinem] effuderit, reddat illi quantum nocuit; et si non habet unde reddat, solvat opera proximi sui quamdiu ille infirmus est, et post xL dies in pane et aqua pœniteat. hominem casu occiderit, xL. dies abstineat ab æcclesia, et jejunet in pane et aqua, et postea suprascriptam pœnitentiam agat.

XXII. DE FALSO TESTIMONIO ET MENDACIO.

§ 1. Falsos testes a communione æcclesiastica summovent. nisi pænitentiæ satisfactione crimina admissa deleverint. § 2. Si quis per cupiditatem falsum testimonium dixerit, vir. annos pœniteat, III. ex his in pane et aqua. Qui autem consenserit ei, v. annos pœniteat, 1. in pane et aqua. quis propter odium falsum testimonium super alterum dixerit, VII. annos pœniteat, III. in pane et aqua; quia scriptum est: 'Falsus testis non erit impunitus.' Et iterum: 'Qui falsum testimonium profert contra proximum suum, extinguatur § 4. Qui falsum testimonium lucerna ejus in die ultimo.' dicit, placet primum proximo suo, deinde suprascriptam pœni-§ 5. Si quis mendacium dixerit per ignorantentiam agat. tiam, et non nocuit, confiteatur ei cui mentitus est, et sacerdotis judicio hora tacendi dampnetur, vel xII. psalmos cantet. vero scienter mendacium dixerit, et alteri nocere desiderat, et tamen ei non nocuit, quia non potuit, xv. dies in pane et aqua § 6. Si quis pro cupiditate mendacium dixerit, ut inde aliquid adquirere valeat, placet ei cui frustravit, et jejunet ebdomadas 1111. in pane et aqua. § 7. Illi vero qui

4 dolum P.

sic Ms.

 $^{^{1}}$ xx. P. 2 xxx. P.

³ Episcopus 11. annos et vi. menses. P. add.

semper mentiendi [causa] huc illucque discurrunt, et per hoc multa dampnabilia adquirunt, sed ad pœnitentiam convertunt, primitus omne mendacium exsecrare debent, sicut Apostolus jubet: 'Deponentes igitur omne mendacium, loquimini veritatem unusquisque cum proximo suo;' deinde v. annos pœniteant, 1. in pane et aqua; quia scriptum est: 'Perdes omnes qui locuntur mendacium.'

XXIII. DE FURTO, ET INCENDIO, ET SEPULCHRORUM VIOLATORIBUS.

§ 1. Si quis aliquid de ministeriis sanctæ æcclesiæ furatus fuerit, aut neglexerit, vII. annos pœniteat, III. ex his in pane et aqua, et reddat integrum quod abstulerit. § 2. Si quis furtum capitale commiserit, id est, quadrupedia furatus fuerit, vel domum effregerit, 'aut quælibet meliore præsidio' furatus fuerit, laicus IIII. annos pœniteat, I. in pane et aqua; clericus v. annos, I. in pane et aqua; subdiaconus vI. annos, II. in pane et aqua; diaconus vii., iii. in pane et aqua; presbiter x., iiii. in pane et aqua; episcopus xII., v. in pane et aqua. quis de minoribus semel furtum fecerit, reddat proximo suo quod furatus fuerit, et III. xL^{mas}. in pane et aqua pœniteat. reddere non potuerit, annum 1. pœniteat, 111. xL^{mas}. in pane et aqua. Si sæpius fecerit, et non habet unde reddat, annum 1. in pane et aqua pœniteat, et III. annos III. xL^{mas}, et elemosinam de proprio labore pauperibus tribuat, et sic postea in Pascha reconcilietur. § 4. Qui sæpe furtum fecerit, vii. annos pæniteat, vel ut sacerdos judicat, juxta quod componi potest quibus nocuit, et semper debet reconciliari ei quem offendebat, et restituere juxta quod nocuit, et indigentibus de proprio labore largiter tribuere, sicut apostolica jubet doctrina: 'Qui furabatur, inquid, jam non furetur, sed magis laboret operando manibus suis quod bonum est, ut habeat unde tribuat necessitatem pacientibus;' et multum breviavit pœnitentiam ejus, id est, dimidium spatium. Si vero noluerit, aut non potest, constitutum tempus pœniteat per omnia. § 5. Ille vero qui sæpe fures in domum suam suscipit, et cum eis prædam illorum dividit, vicinisque suis semper insidiator existens; primo illorum societatem declinet, et in susceptione pauperum, quantum potest, studiose insistat, et vii. annos pæniteat, ii. in pane et

^{1&#}x27;et quæcumque majoris præsidii. Ecgb. Pænit. Lat.

§ 6. Puer x. annorum aliquid furtum faciens, vii. § 7. Puer xx. annorum aliquid furtum dies poeniteat. scienter comedens, vII. dies pœniteat, in pane et aqua. Si vero ignoranter fecerit, et postea cognoverit, 111. dies in pane et aqua § 8. Si quis scienter carnem vel cybum quod pœniteat. furatum est sæpe manducat, 11. annos a carne abstineat. vero propter inopiam, fame cogente, hoc fecerit, I. annum pæ-§ 9. Si quis vero carnem ignoranter vel cybum quod furatum est, manducat, et postea cognoverit, i. annum a carne Si vero pauper est, III. XL^{mas}. cum legitimis feriis. § 10. Qui semel furatur cybum vel potum, xL. dies in pane et aqua pœniteat; si iterum, III. xL^{mas}; si III°., I. annum pœniteat; si vero, IIIIo., II. annos; si vo., III. annos, vel quousque hoc vitium dimittat. § 11. Si quis alii consentit ut furtum faciat, et tamen hoc non cum illo dividat, si capitale furtum est, III. annos pœniteat; si modicum, III. xLmas, aut quadraginta dies, vel etiam sicut sacerdos judicat, juxta qualitatem culpæ; quia scriptum est: 'Non solum qui faciunt, sed etiam qui consentiunt facientibus, digni sunt morte.' § 12. Si quis laicus de monasterio monachum duxerit ¹ furtim, ac per hoc propositum suum reliquerit, aut intret in monasterium Deo servire, evel VII. annos pœniteat.' Si laicus monachum duxerit in furtum, similiter poeniteat. § 13. Si quis servum alterius, vel quemcunque hominem, furtu quolibet, malo ingenio, in captivitatem duxerit aut transmiserit, ⁸vII. annos, ⁴II. in pane et aqua. § 14. Si quis sepulchrum violaverit, vII. annos, III. in pane et § 15. Si quis patrem vel matrem expulerit, impius vel sacrilegus judicandus est, sicut apostolica insinuat doctrina: 'Qui curam suorum, et maxime domesticorum,' inquid, 'non providet, fidem denegat, et est infideli deterior; tanto tempore pœniteat, quanto in impietate exstiterit. § 16. Si quis domum vel arcam cujuscunque voluntarie igne concremaverit, III. annos pœniteat, I. in pane et aqua. § 17. Pæcuniæ quæ in alia provincia⁵ rapta fuerit, id est, rege alio superato, tercia pars ad æcclesiam tribuatur, vel pauperibus; quia jussio regis erat. Qui vero eam rapuerit, xL dies pœniteat. quis per necessitatem furatus fuerit cybaria, vel vestem, sive

¹ furtim N. in furtum O.

²/aut humanum subeat servitium. Pecunia æcclesiis furata sive rapta, reddatur quadruplum; sæcularibus duplum. N.

³ 111. Reg. ⁴ 1. Reg.

⁵ ab hoste superato N. add.

quadrupedem, per famem, aut per nuditatem, illi venia datur; tamen jejunet III. xL mas.; et si reddiderit quod furatus fuerit, non cogetis eum jejunare, nisi ebdomadas 11. caballum, aut bovem, aut jumentum, vel vaccam, sive cybaria, vel alia pecora, per necessitatem fuerit furatus, unde familiam suam nutriat, III. xL^{mas}, cum legitimis feriis a carne abstineat. § 20. Si quis aurum, vel argentum, vel vestem, aut aliam rem perditam in via, aut in agro, vel in silva, invenerit, reddat eam illi qui eam perdiderat; si autem timet eam reddere, ne forte aliquid dampnum propter hoc paciatur, 1. annum, vel 11., aut m. pœniteat; juxta qualitatem culpæ, vel magnitudinem rei perditæ, judicio sacerdotis pœniteat. § 21. Qui fraudatum comedit et scit, et est inops, vel ebes, vII. dies pæniteat; qui sæpe faciunt, III. xL^{mas}. vel annum. § 22. Si quis latronem in furtu compræhenderit, et eum ligaverit, ac in custodia ponit, ibique, sine judicio comitis ac judicum, mortuus fuerit, v. annos pœniteat; quia contra mandatum Domini fecit, ubi dicit:

XXIV. DE PERJURIO.

§ 1. Si quis scienter perjurium fecerit, laicus 11111. annos; clericus v.; subdiaconus vi.; diaconus et monachus ²vii.; presbiter § 2. Qui perjurium fecerit in æcclesia. x.: æpiscopus xII. aut in sancto Evangelio, sive in reliquiis Sanctorum, xI. annos pœniteat; si in manu æpiscopi, vel presbiteri, aut diaconi, seu in altare, vel in cruce consecrata perjurat, III. annos pœniteat; si vero in cruce non consecrata perjurat, 1. annum pœniteat; si autem in manu hominis laici juraverit,⁵ nihil est. perjurat sciens, compulsus a domino suo, III. XL^{mas}. pœniteat, et legitimas ferias. § 4. Qui ducit alium in perjurium igno-§ 5. Qui ductus est in perrantem, vii. annos pœniteat. jurium ignorans, et postea cognoscit, annum 1. pœniteat. § 6. Qui suspicatur quod in perjurium ducitur, et tamen jurat per consensum, II. annos pœniteat. § 7. Si quis coactus pro qualibet causa necessitatis perjurat, III. XLmas; alii judicant ut III. annos pœniteat, I. ex his in pane et aqua. § 8. Si quis laicus per cupiditatem perjurat, totas res suas vendat, et donet pauperibus, et conversus tondat se, et intret in monasterium, [et] usque ad mortem serviat Deo; si autem hoc non vult, aut

¹ 111. Reg.
⁸ apud Grecos N. add.

² VIII. Reg.

non poterit, x. annos pœniteat. § 9. Si vero non per cupiditatem, sed per mortis periculum, incurrit juramentum, III. annos inermis, exul pœniteat, I. in pane et aqua, et II. abstineat se a carne et vino; dimittat pro se servum, aut ancillam ingenuam, si habet; si vero non habet, in aliis rebus, quantum potuerit, elemosinam faciat; et post annos v. judicio sacerdotis communicet.

XXV. DE RAPINA, ET DE USURA, ET QUI HOSPITES NON RECIPIT, ET MANDATA EVANGELICA NON IMPLET.

§ 1. Apostolus per Spiritum Sanctum ita pronuntiat, dicens: Neque rapaces regnum Dei possidebunt. § 2. Si quis, per potestatem aut quodlibet ingenium, res alienas malo ordine invaserit vel tulerit, primitus reddat hoc quod abstulerat, deinde III. annos, I. in pane et aqua. § 3. Si quis usuras undecunque exigerit, III. annos, I. in pane et aqua. cunque hospitem non receperit in domum suam, sicut Dominus præcipit, et regna cœlorum promittit, ubi dicit: 'Venite benedicti Patris mei, percipite regnum; quantum tempus hospites non receperit, et mandata evangelica non implevit, nec pedes pauperum lavit, nec elemosinam fecit, tanto tempore pœniteat in pane et aqua, si non emendat. § 5. Qui repetit auferenti ea quæ sunt contra interdictum Domini, tribuat indigentibus ea quæ repetivit. § 6. Clericus habens superflua, donet ea pauperibus; sin autem, excommunicetur. quis laicus thesaurizat sibi superflua in crastinum tempus, tribuat illa pauperibus; si autem hoc non vult, audiat quod scriptum est: 'Thesaurizat, et ignorat qui congregabit ea.' Talis, si ad pœnitentiam conversus fuerit, primitus ea quæ thesaurizavit pauperibus tribuat, deinde, judicio sacerdotis, III. annos pœniteat.1 § 8. Item cupidus, avarus, rapax, superbus, ebriosus, invidus, detractor, vel fratri suo odio habens, maledicus, et his similia, quæ enumerare longum est, III. annos pœniteant, et juxta vires suas elemosinam faciant.

XXVI. DE EBRIETATE ET VOMITU.

§ 1. Apostolus dicit: 'Neque ebriosi regnum Dei posside-

¹ Furatus consecrata III. annos peniteat sine pinguedine, et tunc communicet. N. add.

§ 2. Si quis æpiscopus, presbiter, diaconus, vel quis ordinatus, in consuetudine ebrietatis vitium habuerit, aut desinat, aut deponatur. § 3. Si quis presbiter, aut diaconus, per ebrietatem vomitum facit, xL dies cum pane et aqua pœniteat; subdiaconus xxx. dies; clericus xx.; laicus xv. monachus per ebrietatem vomitum facit, xxx. dies pœniteat. § 4. Æpiscopus si per ebrietatem, vel voracitatem, evomuerit eucharistiam, xc. dies pœniteat; presbiter Lxx.; diaconus et monachus Lx.; clericus xL.; laicus xxx. Si infirmitatis causa. vii. diebus unusquisque; quidam psalterium, quidam bis psal-§ 5. Si vero sacrificium in ignem projecit vel in flumen, c. psalmos cantet. § 6. Si canes comedunt tale vomitum, c. dies pœniteat, si scit; si non scit, xL. fidelis laicus per nequitiam inebriat alterum, x1. dies pæniteat. § 8. Si quis presbiter, aut diaconus, vel monachus, subdiaconus, clericus, aut laicus, per infirmitatem, vomitum facit, sine culpa § 9. Si quis longo tempore se abstinuerit, et in consuetudine non erat ei multum bibere vel manducare, aut pro gaudio in Natale Domini, aut in Pascha, aut pro alicuius Sanctorum commemoratione, faciebat vomitum, et tunc plus non accepit quam decretum est a senioribus, nihil nocet. Si æpiscopus jusserit, non nocet, nisi ipse similiter faciat.1 § 10. Si sacerdotes se inebriant per ignorantiam, vII. dies pœniteant in pane et aqua; si per neglegentiam faciunt, xv. dies; si per contemptum, xL. dies pœniteant; diaconi et monachi 1111. ebdomadas; subdiaconi 111.; clerici 11.; laici § 11. Qui cogit hominem ut inebrietur, I. ebdomadam. humanitatis causa, xx. dies pœniteat; si per odium facit, ut homicida judicetur. § 12. Si quis presbiter, aut diaconus, vel quislibet clericus, tantum bibit ut psallere non possit, stupens in lingua sua, x11. dies in pane et aqua pœniteat, et § 13. Qui superfluam ventris disdeleat peccatum suum. tensionem doloremque saturitate sentit, id est, usque ad vomitum, sine infirmitate, vii. dies cum pane et aqua pœniteat. § 14. Qui vero inebriantur vino vel cervisia, contra præceptum

¹ Si laicus fidelis pro ebrietate vomitum facit, xv. dies peniteat. Qui vero inebriatur contra Domini interdictum, si votum sanctitatis habuerit, vII. dies in pane et aqua, vel xx. sine pinguedine peniteat; laici sine cervisia. Qui per nequitiam inebriat alium, xL. dies peniteat. Qui pro satietate vomitum facit, III. dies peniteat; si cum sacrificio cum mõ, vII. dies peniteat; si infirmitatis causa, sine culpa. N. add.

Domini Salvatoris ac Apostolorum ejus, (hoc est ebriositas, quando statum mentis mutant, et linguæ balbutiunt, et oculi turbantur, et vertigo erit capitis, et ventris distensio, ac dolor sequitur), laicus ebdomadam 1. cum pane et aqua pœniteat; clericus ebdomadas 111.; subdiaconus xv. dies; diaconus et monachus ebdomadas 111.; presbiter 1111.; episcopus v. § 15. Si quis clericus, ante horam canonicam, causa gulæ, cybum sumit, non infirmitatis necessitate, careat cæna, vel duos dies in pane et aqua pœniteat.

- XXVII. DE IDOLATRIA ET SACRILEGIO, ET QUI ANGELOS COLUNT, ET MALEFICOS, ARIOLOS, VENEFICOS, SORTILEGOS, DIVINOS, ET VOTA REDDENTES NISI AD ÆCCLESIAM DEI, ET IN KALENDAS JANUARII IN CERVULO ET IN VITULA VADIT, ET MATHEMATICOS, ET EMISSORES TEMPESTATUM.
- § 1. Apostolus dicit: 'Neque idolis serviens regnum Dei possidebit.' Si quis immolat dæmonibus in minimis, 1. annum pœniteat; qui in magnis, x. annos. § 2. Si quis manducaverit vel biberit per ignorantiam juxta fanum, promittat quod deinceps nunquam reiteret, et xL dies in pane et aqua pœniteat. Si vero per contemptum hoc fecerit, id est, postquam sacerdos ei prædicavit quod sacrilegium hoc erat, et mensa demoniorum, III. xL^{mas}. in pane et aqua pœniteat. Si vero pro cultu dæmonum, et honore simulacri, hoc fecerit, III. annos pœniteat. § 3. Si quis secundo vel 111°. immolat dæmoniis, III. annos subjaceat pænitentiæ; deinde duos, sine oblatione communionis; tertio v., id est post quinquennium. ad perfectionem suscipiatur. § 4. ¹Si quis manducaverit hoc quod idolis est immolatum, et non fuit ei necessitas, jejunet ebdomadas xII, in pane et aqua; si vero pro necessitate fecerit, § 5. Si qui simul celebrant festiviieiunet ebdomadas vi." tatem in locis abhominandis gentilium, et suam æscam ibi deferentes, simulque comederint, placuit eos biennio subjacere

VQui cibum immolatum comederit, deinde confessus fuerit, sacerdos considerare debet personam, in qua ætate, vel quomodo edoctus, aut qualiter contigerit; et ita auctoritas sacerdotalis circa infirmum moderetur. Et hoc in omni penitentia semper et confessione omnino, in quantum Deus adjuvare dignetur, cum omni diligentia conservetur. N.

pœnitentiæ, et suscipi ad oblationem, in qua biennio perdurantes, tunc ad perfectionem suscipi; et post oblationem unumquemque spiritum probare, et vitam singulorum discu-§ 6. Si quis sacrilegium fecerit, id est, quod aruspices vocat, qui auguria colunt per aves, aut quocunque auguriaverit malo ingenio, III. annos pœniteat, I. ex his in pane et § 7. Non licet Christianos æcclesiam Dei derelinquere, et ire ad auguria, atque angelos nominare, et congregationes facere, quæ interdicta noscuntur. Si quis igitur inventus fuerit huic occultæ idolatriæ serviens, quia dereliquit Dominum nostrum Jesum Christum, filium Dei, et se idolatriæ § 8. Non licet clericos vel laicos, magos aut incantatores, existere, aut facere philacteria, quæ animarum suarum vincula comprobentur; eos autem qui his utuntur, ab æcclesia pelli præcipimus. § 9. Si quis maleficio suo aliquem perdiderit, 1v11. annos pœniteat, 2111. ex his in pane § 10. Si quis pro amore veneficus sit, et neminem perdiderit, si laicus est, dimidium annum pœniteat; si clericus, I. annum in pane et aqua; si subdiaconus, II. annos pœniteat, 1. annum in pane et aqua; si diaconus, 31111., duos in pane et aqua; si sacerdos, v. annos, III. in pane et aqua. Si autem per hoc mulieris partum quis deceperit, 111. annos pœnitentiæ unusquisque superaugeat in pane et aqua, ne homicidii reus §11. Si quis ariolos quærit, quos divinos vocant, vel aliquas divinationes fecerit, quia et hoc dæmoniacum est, v. annos pœniteat, III. ex his in pane et aqua. § 12. Si quis sortes habuerit, quas Sanctorum contra rationem vocant, vel aliquas sortes habuerit, vel qualicunque malo ingenio sortitus fuerit, vel divinaverit, III. annos pœniteat, I. in pane et § 13. Si qua mulier divinationes vel incantationes diabolicas fecerit, 1. annum pœniteat, vel 111. xLmas, vel xL. dies, juxta qualitatem culpæ pænitentis. § 14. Si qua mulier filium suum vel filiam super tectum pro sanitate4 posuerit, vel in fornace, vII. annos pœniteat. § 15. Qui grana arserit ubi mortuus est homo, pro sanitate viventium ⁶et domus, v. annos, in pane et aqua' pœniteat. quis, pro sanitate filioli, per foramen terræ exierit, illudque spinis post se concludit, xL. dies in pane et aqua pœniteat.

¹ v. *Hr. M*.

^{2 11.} Hr. M.

^{3 111.} Hr. M. 4 febris N. add. et domus, v. annos, N. ebdomadas v., vel annum, O.

§ 17. 1 Qui divinationes expetunt, et more gentilium subsequuntur,' aut in domos suas hujusmodi homines introducunt, exquirendi aliquid arte malefica, aut expiandi causa, isti, si de clero sunt, abjiciantur; si vero sæculares, confessi pænitentiæ quinquennio subjaceant, secundum regulas antiquitus con-§ 18. Si quis ad arbores, vel ad fontes, vel ad lapides, sive ad cancellos, vel ubicunque, excepto in æcclesia Dei, votum voverit, aut exsolverit, III. annos cum pane et aqua pœniteat; et hoc sacrilegium est, vel dæmoniacum. Qui vero ibidem ederit, aut biberit, i. annum pœniteat in pane § 19. Si quis in kalendas Januarii in cervulo et aqua. *commutant? aut vetula vadit, id est, in ferarum habitus se *communicant, et vestiuntur pellibus pecudum, et assumunt capita bestiarum; qui vero taliter in ferinas species se transformant, 111. annos pæniteant; quia hoc dæmoniacum est. § 20. Si quis mathematicus est, id est, per invocationem dæmonum hominis mentem converterit, v. annos pœniteat, 1. in pane et aqua. § 21. Si quis emissor tempestatis fuerit, id est maleficus, vII. annos pœniteat, III. in pane et aqua. 6 22. Si quis ligaturas fecerit, quod detestabile est, 111. annos pœniteat, I. in pane et aqua. § 23. Qui auguria vel divinationes in consuetudine habuerit, v. annos pœniteat. § 24. Qui observat divinos, vel præcantatores, philacteria etiam diabolica, et somnia, vel herbas; aut v. feriam, honore Jovis, vel kalendas Januarii, more paganorum, honorat; si clericus est, v. annos pœniteat; laicus III. annos pœniteat. § 25. Qui student exercere quando luna obscuratur, ut clamoribus suis ac maleficiis sacrilego usu eam defendere confidunt, v. annos pœniteant. § 26. Qui in honore lunæ pro aliqua sanitate jejunat, unum annum pæniteat.

XXVIII. DE SODOMITIS ET MOLLIBUS, ET IMMUNDIS

POLLUTIONIBUS.

§ 1. Nemo igitur fornicationem faciat, quia Apostolus dicit: 'Fornicarii regnum Dei non possidebunt.' Scriptumque est in lege: 'Omnis homo ad proximam sanguinis sui non accedet, ut revelet turpitudinem ejus; anima, quæ fecerit quippiam ex istis, peribit de medio populi.' Item in lege

^{1/}De hoc in canone dicitur: Qui auguria, auspicia, sive somnia, vel divinationes quaslibet, secundum mores gentilium observant N.

Dominus dicit: 'Qui dormierit cum masculo coitu fæmineo, uterque operatus est nefas, morte moriantur.' Paulus itaque Apostolus dicit: 'Propter nequitiam enim hominum, tradidit illos Deus in passiones ignominiæ: nam fæminæ eorum mutavere naturalem usum in eum usum qui est contra naturam : similiter et masculi, derelicto naturali usu fæminæ, exarsere in desideriis suis in invicem; masculi ergo in masculos turpitudinem operantes; et sicut non probavere Deum habere in notitiam, tradidit illos Deus in reprobum sensum, ut faciant quæ non conveniunt: repleti sunt autem omni iniquitate; omnis enim immunda pollutio iniquitas est, et fornicatio dicitur. Item Apostolus dicit: 'Neque molles, neque masculorum concubitores, regnum Dei possidebunt.' §2. Qui hoc vitio implicatus est duriter pœniteat, id est, æpiscopus xIII. annos pœniteat; presbiter xII.; diaconus vIIII.; subdiaconus vIII.; clericus vII.; laicus v. annos pœniteat, et nunquam cum alio § 3. Mollis vero vir semetipsum coinquinans, primo c. dies pœniteat; et si iterans, annum 1. pœniteat. Si cum gradu est, addatur pœnitentia. § 4. Pueri se invicem manibus coinquinantes, dies xL.; majores c. dies. se inter fæmora sordidantes, dies c.; majores vero III. XL^{mas}. & 6. Parvulus a majore puero obpressus, ac legitimas ferias. septimanam pœniteat; si consenserit, dies xv. §7. Puer seipsum voluntarie polluens, xxx. dies; juvenis xL. 88. Qui complexu feminæ inlecebroso osculo polluitur, dies xxx. §9. Qui contactu ejus inverecundo ad carnem, 111. menses § 10. Qui in turpiloquio polluitur, neglegens, pœniteat. § 11. Qui in pugnatione cogitationis et vII. dies poeniteat. naturæ inquinatur nolens, vii. dies; vel quinquagenos psalmos canat, et IIII. et vi. feria jejunet ad nonam, vel ad vesperam. § 12. Puer xv. annorum semetipsum coinquinans, xL. dies §13. Qui per turpiloquium vel aspectum coinpoeniteat.1 quinatus est, tamen non voluit fornicari temporaliter, xx. dies, vel xL. pæniteat. § 14. Si autem in pugnatione cogitationis violenter coinquinatus est, vII. dies pœniteat. § 15. Qui diu illuditur a cogitatione, tepidus est repugnans 1. vel 11. vel plurimos dies, quantum exigerit diuturnitatis cogitatio,

¹ Pueri qui fornicantur inter seipsos, judicavit ut vapulentur. Qui concupiscit fornicari sed non potest, xL. dies vel xx. peniteat. Si frequentaverit, si puer sit, xx. dies, vel vapuletur. *N. add*.

§ 16. ¹Item sodomitæ annos v. Si in consuepœniteat. tudine est, annos vii. vel plus.' Si monachi sunt, aut in gradu, vii. annos vel plus, sicut superius de unoquoque gradu scriptum est. Si parvulus oppressus talia patitur, x. dies pœniteat, vel psalmis aut continentia castigetur. 817. Pueri ante xx. annos se invicem manibus coinquinantes, et confessi, antequam communicent, xx. dies; si iteraverint post pœnitentiam, c. dies; si vero frequentius fecerint, separentur, et annum poeniteant. §18. Minimi vero fornicationem imitantes et irritantes se manibus, coinquinati non sunt, propter immaturitatem, xx. dies; si vero frequenter fecerint, x1. dies § 19. ²Si sacerdos per turpiloquium seu aspectum coinquinatur, non tamen vult coinquinari, xx. dies pœniteat, vel quale sit delictum. § 20. Presbiter si osculatus est fæminam per desiderium, xx. dies pæniteat. § 21. Clericus si semen fuderit, vII. dies pœniteat; subdiaconus x.; diaconus et monachus ebdomadas II.; presbiter xx. dies; episcopus xxx. dies. § 22. Item. Si presbiter per cogitationem semen fuderit, svii. dies pœniteat; æpiscopus xx. dies; diaconus et monachus vII. dies; subdiaconus IIII.; clericus II.; laicus I. § 23. Item. Si presbiter tangit manum cum manu, III. ebdomadas; episcopus IIII.; diaconus et monachus xv. dies; subdiaconus xII.; clericus x.; laicus VII. § 24. Aliter. Si clericus manum cum manu tangit, xxx. dies vel xx. pœniteat; quanto magis alii gradus? § 25. Qui in somno, non voluntate, pollutus sit, surgat, cantetque vii. psalmos pœnitentiales, id est, 'Domine ne in furore,' Imum.; Beati quorum; 'Domine ne in furore,' 11dum.; 'Miserere mei; 'Domine exaudi, 1mum.; 'De profundis;' 'Domine exaudi,' 11dum.; vel unusquisque, secundum suam virtutem; et in mane, cantet xxx. psalmos, flectendo genua in finem uniuscujusque psalmi.4 Volens quasi in somno peccare. sive quia pollutus sit sine voluntate, xv. psalmos cantet, et per

xL. dies peniteat. N.

^{1&#}x27; Sodomite vII. annos peniteant. Molles sicut adulteri. Item hoc. Virile scelus semel faciens IIII. annos peniteat, si in consuetudine fuerit, ut Basilius dicit. Sustinens unum annum, ut mulier. Si puer sit, primo 11^{bus}. annis; si iterat, 1111. N.

2 Sacerdos si tangendo mulierem aut osculando coinquinabitur,

^{3&#}x27; ebdomadam jejunet; si tangit manu, 111. ebdomadas jejunet; N. 4 Monachus vel sacra virgo fornicationem faciens VII. annos peniteat. N. add.

uniuscujusque psalmi finem dicat ter, 'Deus in adjutorium meum intende.' § 27. Peccans non pollutus xxIIII. psalmos cantet; si in somno peccans sine cogitatione, xv. psalmos § 28. Item. Si in somno peccans, et ex cogitatione pollutus fuerit, xxv. psalmos cantet. § 29. Si semen fundit in æcclesia per dormitationem, ¹cantet psalterium, vel 111. dies § 30. Si voluntarie semen in æcclesia fudit. mala cogitatione, si clericus est, xIIII. dies pœniteat; subdiaconus xv.; diaconus xxv.; presbiter xL.; episcopus L. §31. Item. Clericus diligens mente aliquam fæminam, vII. § 32. Qui sæpe per violentiam cogitationis dies poeniteat. semen fuderit, xx. dies pæniteat. § 33. Agustinus dicit, quod post pollutionem quæ nobis nolentibus fieri solet, nobis communicare non liceat, nisi præcedat compunctio et elemosina; et, si infirmitas non prohibet, etiam jejunium.

XXIX. DE MALEDICTIONE ET DETRACTIONE.

§ 1. Apostolus dicit: Neque maledici regnum Dei possidebunt. Pensate quam gravis culpa sit maledictio, quæ separat a regno vitæ; apud districtum namque judicem, otiosus sermo repræhenditur, quanto magis noxius? Hinc ergo colligendum est, quantum sit dampnabilis qui a malitia non vacat: sed et ille sermo pænalis est qui a bonitate utilitatis vacat; unde per semetipsam Veritas in Evangelio dicit: 'Qui dixerit fratri suo racha, id est, inanis vel vacuus, reus erit concilio; qui autem dixerit fatue, reus erit gehennæ ignis.' § 2. Si quis fratrem suum maledixerit cum furore, primo satisfaciat ei, deinde vii. dies cum pane et aqua pæniteat. § 3. Si quis consuetudinem habuerit maledicendi, iii. annos pæniteat. § 4. Si quis proximum suum per invidiam detrahit, aut libenter

^{1&#}x27; III. dies jejunet. Si excitat ipse, primo xx. dies, iterans xL. dies peniteat; si plus, addantur jejunia; si in femoribus, I. annum, vel III. xL^{mas}. Qui seipsum coinquinat, xL. dies peniteat. Si puer sit, xL. dies, vel vapuletur. Si cum ordine, III. xL^{mas}, vel annum, si frequentaverit. Si quis renunciaverit seculo, postea reversus in secularem habitum, si monachus esset, et posthæc penitentiam egerit, x. annos peniteat. Post primum triennium, si probatus fuerit in omni penitentia, in lacrimis, et orationibus, humanius circa eum episcopus potest facere. Si monachus non esset quando recessit ab ecclesia, vII. annos peniteat. Basilius judicavit puero licentiam nubere ante xVI. annos, si se abstinere non potuisset, quamvis monachus ante fuisset, et inter bigamos esset; et I. annum peniteat. N.

audit detrahentem, III. dies cum pane et aqua pœniteat. § 5. Qui vero magistrum vel dominum detrahit, vII. dies pœniteat, et serviat ei libenter. § 6. Qui vero verbositatem diligit, fratremque suum derogat, unum diem vel II. tacens pœniteat. § 7. Qui vero detractioni cavere noluerit, audiat prophetam ex persona Christi dicentem: 'Detrahentem secreto proximo suo,' et cætera. § 8. Qui vitium detractionis in usu habent, laici vII. dies in pane et aqua pœniteant; clerici ebdomadas II.; subdiaconi III.; diaconi IIII.; presbiteri v.; æpiscopi vI. § 9. Qui causa nocendi sæpe fratrem suum detrahit, IIII. annos pœniteat.

XXX. DE COMMUNIONE HERETICORUM.

§ 1. Si quis laicus per ignorantiam cum hereticis communicaverit, stet inter catecumenos, id est, separatus ab æcclesia, xL. dies, et alios xL. in extremis pœnitentibus, et sic culpam suam deluat. Si vero, postquam illi sacerdos prædicavit ut cum heretico non manducaret, iterum fecerit, annum 1. pœniteat in pane et aqua; et in secundo III. XL mas. in pane et aqua, et III. annos abstineat a carne et vino. §2. Si quis ab hereticis ordinatus fuerit, iterum debet ordinari, si inreprehensibilis fuerit; sin minus, deponi oportet. &3. Si quis a catholica æcclesia ad heresin transierit, et postea reversus fuerit, pœnitere debet quæ egerit, et non potest ordinari, nisi post longam abstinentiam, aut pro magna necessitate. Hinc Innocentius Papa nec pœnitentem clericum fieri canonum auctoritate asserit permitti.1 § 4. Si quis contempserit Nicenæ synodi concilium, et fecerit Pascha cum Judæis XIIII. lunæ, exterminabitur ab omni æcclesia, nisi pænitentiam egerit ante mortem. §.5. Si quis autem cum ²hereticis oraverit, quasi cum clerico catholico, ebdomadam 1. pœniteat. Si iteraverit, xL. dies pœniteat. §6. Si quis defendere voluerit heresin eorum, nisi pænitentiam agat, similiter exterminabitur, Domino dicente: 'Qui non est mecum contra me § 7. Si quis baptizatus fuerit ab heretico, qui recte in Trinitatem non crediderit, iterum baptizetur.³

³ Hoc Theodorum dixisse non credimus, contra Niceanum concilium et sinodi decreta, sicut de Arrianis conversis, Trinitatem non recte credentibus, confirmatur. *N. add*.

¹ Ergo hoc Theodorus ait, pro magna tantum necessitate, ut dicitur, consultum permisit, quia numquam Romanorum decreta mutari a se sepe jam dicebat voluisse. N. add.

² illo N.

quis dederit aut acceperit communionem de manu heretici, et nescit quod æcclesiæ catholicæ contradicit, postea intelligens, annum integrum pœniteat. Si autem scit et neglexerit, et postea pœnitentiam agere voluerit, x. annos pœniteat; alii dicunt vii.; alii humanius diffiniunt, ut v. annos pœniteat. Sciendum tamen, quod illa varietas ex qualitate delicti evenit. § 9. Si quis permiserit heretico missam suam cælebrare in æcclesia catholica, et nescit quia hereticus est, xL dies pœniteat. Si quis pro reverentia facit, annum integrum pœniteat. pro dampnatione æcclesiæ catholicæ facit, projiciatur ab æcclesia, sicut hereticus, nisi pœnitentiam agat. voluntarie pœnitentiam agere voluerit, x. annos pœniteat. § 10. Si quis recesserit ab æcclesia catholica in congregatione hereticorum, et alios persuaserit, et postea pœnitentiam egerit, xII. annos pœniteat, IIII. annos extra æcclesiam, et vi. inter auditores, et 11. adhuc extra communionem. De his in 'canone dicitur: 'xº. anno communionem 2 cum oblatione accipiant/' § 11. Si æpiscopus jusserit clericum suum, aut abbas monachum suum, pro hereticis missam cantare, non licet et non expedit § 12. Si presbitero contigerit, ubi missam cantaverit, et aliis recitaverit nomina mortuorum, ut simul nominaverit hereticum cum catholicis, illo sciente, ebdomadam 1. pæniteat. Si frequenter fecerit, annum integrum pæniteat. § 13. Si quis autem post mortem heretici missam ordinaverit, et pro religione sua reliquias sibi tenuerit, quia multum jejunaverit, et nescit differentiam fidei, et postea intellexerit, pœnitentiamque agere voluerit, reliquias debet in igne concremare, et x. annos pœnitere. Si autem scit et neglegit, pœnitentia iterum commotus, 4x1111. annos pœniteat. quis a fide Dei discesserit sine ulla necessitate, et postea, ex toto animo conversus, pœnitentiam agere voluerit, III. annos extra æcclesiam, id est, inter auditores fiat; et vi. annos omni se contritione dejiciat; duobus autem annis sine oblatione populo in oratione communicet; deinde ad communionem admittatur.

XXXI. DE DISCRETIONE CIBORUM, MUNDIS INMUNDIS.

§1. Qui manducat carnem inmundam, aut morticinam, aut dilaceratam a bestiis, xL dies pœniteat; si necessitate famis

sinodo N.

^{2&#}x27; sive oblationem recipiant. N. 3 mortuis N. add.

cogente, 1 multo levius. § 2. 2 Mus si ceciderit in liquorem, tollatur inde, et aspergatur liquor ille aqua benedicta. vivens sit, utatur; si mortuus fuerit inventus, omnis liquor projiciatur foras, nec ab hominibus sumatur, sive lac sit, sive cervisia, vel aliquid hujusmodi; et mundetur vas. § 3. Quod si multus sit liquor ille in quo mus vel mustela incidens moritur, purgetur, decimetur, et aspergatur aqua sancta, et § 4. Si in farina, aut in aliquo sumatur, si necesse sit. sicco cybo, aut in pulte, aut in melle, aut in lacte coagulato, mus vel mustela mortui inveniuntur, quæ in circuitu ejus sunt projiciantur foras; quod reliquum est aspergatur aqua bene-§ 5. Si aves stercorant in quemcunque dicta, et utatur. liquorem, tollatur ab eo stercus, et mundetur cybus aqua § 6. Si gallina aut quodcumque benedicta, et sumatur. animal in puteum ceciderit, et ibi mortuum inventum fuerit, puteus evacuetur, et iterum mundetur aqua benedicta cum Si scienter quis ex eo biberit, jejunet ebdomadam 1. Si vero ignoranter fecerit, feria IIII. et vi. jejunet, usque ad § 7. Si homo in puteum aut cisternam ceciderit, et ibi mortuus inventus fuerit, puteus aut cisterna evacuetur, et iterum aqua sanctificata mundetur cum oratione. quis ex eo biberit, xL. dies a potu abstineat, et jejunet feria 1111. et vi. usque ad nonam. Si vero ignoranter fecerit, xx. § 8. Si mus, vel gallina, aut aliud quid, dies pæniteat. ceciderit in oleum, aut in mel, et ibi mortui inveniuntur, oleum expendatur in lucernam, mel vero in medicinam, vel in aliam necessitatem. §9. Animalia quæ a lupis seu a canibus lacerantur, non sunt comedenda, nisi forte ab hominibus adhuc viva occidantur prius, sed porcis et canibus dentur; nec cervus, nec caprea, si mortui inventi fuerint. § 10. Aves vero et animalia cætera, quæ in retibus strangulantur, non sunt comedenda hominibus, quia suffocata sunt. mal vero, sive avis, quod canis, aut vulpis, sive acceptor, aut falco, mortificaverit, aut de fuste, vel de lapide, sive sagitta quæ non habet ferrum, mortuum fuerit, hæc omnia suffocata sunt; non manducentur; quia *1111. capitulum Actuum Apostolorum præcipit abstinere a fornicatione, et suffocato, et sanguine, et idolatria. Et qui de talibus manducat, v. ebdomadas a carne abstineat. Si famis necessitate cogente fecerit, ebdomadas 11. jejunet. § 12. Si quis sagitta percusserit cervum,

* L xv.

sive aliud animal, aut avem, et post tercium diem inventum fuerit, et forsitan ex eo lupus, ursus, canis, aut vulpis, gustaverit, nemo manducet; et qui manducaverit, jejunet ebdo-§ 13. Qui vero necessitate manducat animal madas IIII. quod inmundum videtur, vel avem, aut bestiam, non nocet. § 14. Hæc itaque proferentes non utique inmemores sumus sermonis Domini, dicentis: 'Audite et intelligite; non quod intrat in os coinquinat hominem, sed quod procedit de ore, hoc coinquinat hominem.' Et Apostolus dicit: 'Nemo, inquid, vos judicet in cybo et potu, aut neomænia, quæ sunt umbra futurorum.' Et iterum: 'Omnis Dei creatura bona, et nihil rejiciendum, quod cum gratiarum actione percipitur.' Sed tamen in his antiqua religiosa consuetudo, et a sanctis patribus tradita atque custodita, prætermittenda non est, cum constet quia ex fide non deviat; verum sicut Apostolus dicit: 'Unusquisque abundet in suo sensu; de his salva fide et religione nihil præjudicamur.' § 15. Pisces licet comedere, quamvis mortui inveniuntur.1 Sicut quibusdam placet, non manducentur; qui autem manducaverit, jejunet ebdomadas IIII. §17. Equum non prohi-§ 16. Leporem licet comedere.2 bemus, tamen consuetudo non est comedere. § 18. Apes si occidunt hominem, ipsas quoque occidi festinanter oportet; mel tamen expendatur in medicinam, vel in aliis necessariis. § 19. Si casu porci vel gallinæ sanguinem comedent, non abjiciendos esse credimus, sed manducentur; tamen cum sale benedicto saliatur caro eorum, et aspergatur aqua sanctifica-§ 20. Si porcus vel gallina manducaverit de corpore hominum, non manducentur, neque serventur ad semen, sed occidantur, et canibus tradantur. Alii dicunt, quod liceat eos manducare postquam macerentur,' et post anni circulum. §21. Animalia coitu hominum polluta occidantur, et nemo manducet de lacte ejus, carnesque ejus canibus projiciantur; adeps vero ejus mittatur in causis necessariis, tamen corium assumant. Ubi autem dubium est, non occidantur. §22. Qui

1 quia alterius naturæ sunt. N.Q. add.

² et bonum est pro desintiria, et fel ejus miscendum est cum pipero

pro dolore. N.Q. add.

[&]quot;Si casu porci carnem morticinorum aut sanguinem hominis comedent, non abjiciendos credimus, nec gallinas; ergo porci qui sanguinem hominis gustant manducentur. Sed qui cadaver mortuorum lacerantes manducaverunt, carnem eorum manducare non licet, usquedum macerentur, N.

comedit vel bibit intinctum a familiari bestia, id est, cane et catto, et scit, c. psalmos cantet, 1 vel 11. dies jejunet. Si nescit, L. psalmos, vel I. diem jejunet. § 23. Si quis dederit alicui liquorem in quo mus vel mustela mortua inveniuntur, sæculares vII. dies pœniteant, clerici 2ccc. psalmos cantent. Qui noverit postea quod tale potum biberit, si clericus est, psalterium cantet; si laicus est, 111. dies jejunet, usque ad nonam, et a potu abstineat. § 24. Si quis semicoctum comederit inscius, III. dies jejunet, vel psalterium cantet; sciens autem vii. dies pæniteat. § 25. Si quis casu inmunda manu cybum tangit,3 non nocet.4 § 26. Si quis scienter tinxerit manum in aliquo cybo liquido, 6c. psalmatis' emundetur. § 27. Qui sanguinem proprium inscius cum saliva sorbet, non ei nocet; si autem scit, pœnitentiam agat, juxta modum pollutionis. § 28. Si qua bestia aliquam bestiam occiderit, non comedatur; qui autem comederit, ebdomadas 11. jejunet, usque ad nonam.6 § 29. Quod sanguine vel quocunque inmundo polluitur, si nescit qui manducat, nihil est; si autem scit, juxta modum pollutionis, pæniteat. § 30. Qui sanguinem vel semen biberit, 111. annos pœniteat. quis voluntarie sanguinem animalium, contra præceptum Domini faciens, comederit, III. annos pœniteat, I. in pane et § 32. Si quis *cutere, vel scabiem sui corporis, vel * peduculus? vermiculum qui *peducla nuncupatur, aut stercora, vel terram, comederit; nec non suam bibens urinam, annum integrum cum pane et aqua pœniteat. Si vero infans aut puer est, verberum disciplinis corripiatur.

cutem?

XXXII. DE HIS QUI ÆCCLESIASTICA JEJUNIA ABSQUE NECESSITATE DISSOLVUNT, ET DE HIS QUI VENA-TIONES EXERCENT.

§ 1. Si quis contempnit jejunium indictum in æcclesia, absque necessitate corporea, et contra decreta seniorum fecerit,

^{1/} Si nescit, II. dies jejunet, vel si redimere vult, L. psalmos 2 cc. Reg.

⁸ vel canis, vel pulex, mus, aut animal inmundum quod sanguinem edit, N. add.

⁴ Et qui pro necessitate manducat animal quod inmundum videtur, vel avem vel bestiam, non nocet. N. add.

^{5&#}x27; et non idonea manu, c. psalmatis P.

⁶ Sanguinem inscius sorbere cum saliva non est peccatum. N. add.

si sine xL^{mo}. est xL. dies, usque ad nonam jejunet; cum pane et aqua pœniteat. Si autem in xLmo. est, annum 1. pœniteat. Si frequenter fecerit, et in consuetudine ei erit, exterminabitur ab æcclesia; Domino dicente: 'Qui scandalizaverit unum de pusillis istis qui in me credunt,' et reliqua. § 2. Infirmis vero licet omni hora cybum sumere, quando desiderant vel possunt, si expectare non possunt. § 3. Si mulier pregnans in xLma. voluerit jejunare, potestatem habet; si autem non potuerit, aut parturierit, post Pascha, cum potuerit, impleat xL. dies. Talibus tamen in Pascha communicare non licet. § 4. Si clericus venationes exercuerit, 1. annum pœniteat; diaconus 11.; presbiter 111. annos pœniteat.

XXXIII. DE OTIOSITATE, ET VERBOSITATE, ET SOMNOLENTIA.

§ 1. Scriptum quippe est: 'Otiositas inimica est animæ.' Si quis diligit otiositatem, opus ei injungatur, ut non otio vacet, audiatque Apostolum dicentem: 'Qui non vult operari, nec manducet.' Qui vero verbositatem diligit, 1. diem vel duos tacens pœniteat; audiatque Scripturam dicentem: 'In multiloquio non deerit peccatum.' Et iterum: 'Vir linguosus non dirigetur in terra.' § 2. Somnolentus vigilia longiore aliis, id est, tribus vel vii. psalmis, occupetur. § 3. Vagus instabilisque,* mansione unius loci, operis sed * non add.? utilitate sanetur.

XXXIV. DE INOBEDIENTIA ET BLASPHEMIA.

§ 1. Inobædiens maneat extra cybum, et pulset humiliter; donec recipiatur. §2. Quanto tempore quis inobædiens fuerit, tanto cum pane et aqua pœniteat. § 3. Qui autem industria cuicunque seniori flecti dedignatur, cœna careat; quia scriptum est: 'Invicem honore prævenientes,' phemus etiam similiter sanetur, et opus ejus abjiciatur, cum § 5. Qui alium causa nocendi semi pane aquaque maneat. blasphemat, tamen ei non nocuit, quia non potuerit, III. XL^{mas}., cum legitimis feriis, pœniteat. Si autem ei nocuit, 1. annum § 6. Qui sæpe alium causa lesionis blasphemat, eumque in aliquibus ledit, 11. annos pœniteat; quia Dominus in Evangelio dicit: 'De corde enim exeunt cogitationes malæ, et hæc sunt quæ coinquinant hominem.'

XXXV. DE COGITATIONIBUS MALIS.

§ 1. Dominus dicit in Evangelio: 'Ab intus enim de corde hominum cogitationes malæ procedunt.' Si autem in cogitationibus malis peccatum non esset, nunquam Dominus per prophetam dixisset: 'Auferte malam cogitationem ab oculis meis.' Malarum cogitationum indulgentia est, si opere non impleantur et consensu.¹ § 2. Quisquis diu a cogitationibus nefariis illuditur, cum jejuniis, et vigiliis, et orationibus, veniam a Deo quærat, quousque superet.

XXXVI. DE VERBO OTIOSO.

§ 1. Dominus dicit in Evangelio: 'Dico autem vobis, quia omne verbum otiosum, quod locuti fuerint homines, reddent de eo rationem in die judicii.' Otiosum quippe verbum est, quod aut utilitate rectitudinis, aut ratione justæ necessitatis caret. Otiosa ergo colloquia ad ædificationis studium convertite; quia vanus sermo cito polluit mentem. Unde Apostolus perhibet dicens: 'Turpis sermo ex ore vestro non procedat.' § 2. Qui assidue loquitur verbum otiosum, cum psalmis, et orationibus, et vigiliis assiduis, veniam a Deo quærere debet.

XXXVII. DE CURIOSITATE.

§ 1. Grave namque curiositas est vitium, quæ dum cujuslibet mentem ad investigandam vitam proximi exterius ducit, semper ei sua intima abscondit, ut aliena sciens se nesciat. § 2. Curiositas periculosa præsumptio est. Multi aliorum vitia discernunt, sua non aspiciunt; et cum ipsi maximis criminibus teneantur obnoxii, minima peccata fratribus non dimittunt. Quisquis ergo curiositatis vitio implicatus est, discat veraciter propria discutere vitia, alienaque omittere, semperque cum bonis operibus, quantum potuerit, curet emundare.

^{*} L egris.

¹ Item XII. triduana pro anno pensanda. Theodorus laudavit, 'De *egressis,' quoque pretium viri vel ancillæ pro anno, vel dimidium omnium que possidet dare; et si quem frauderet, reddere quadruplum, ut Christus judicavit. Ista testimonia sunt de eo quod in prefatione diximus de libello Scottorum, in quo, ut in ceteris, illa aliquando inibi fortius firmavit de pessimis, aliquando vero lenius, ut sibi videbatur, modum imposuit pusillanimis. N. add.

XXXVIII. DE BAPTISMO REITERATO, ET DE OPERE DIE DOMINICO, ET QUI DIE DOMINICO JEJUNANT.

§ 1. Qui bis baptizati sunt ignoranter, non indigent pro eo pænitentia, nisi quod, secundum canones, non possunt ordinari, § 2. Qui autem non ignoranter nisi pro magna necessitate. iterum baptizati sunt, quasi iterum Christum crucifixerunt. 1v1. annos pœniteant, 1111. et vi. feria, et 111. xLmas., si pro vitio aliquo fecere; si autem pro munditia licitum putavere, III. annos pœniteant, sicut suprascriptum est. paupercula, si secunda vice filium baptizat, ut inde aliquid adquirat, IIII. annos pœniteat. § 4. Si quis baptizat pro temeritate, non ordinatus, abjiciendus est extra æcclesiam, et § 5. Si quis ordinatus est per ignonumquam ordinetur. rantiam, antequam baptizatus sit, debet baptizari qui ab illo gentili baptizatus fuerat, et ipse non ordinetur. Hoc iterum a Romano pontifice sedis apostolicæ aliter judicatum est; asseritur itaque, ut non homo qui baptizat, licet sit paganus, sed Spiritus Dei subministret gratiam baptismi. Sed et illud de presbitero pagano, qui se baptizatum existimat, fidem catholicam operibus tenens, aliter quoque hoc judicatum est, aliter hæc judicia habent; id est, ut baptizetur et ordinetur. § 6. Die Dominico Greci et Romani ²navigant et equitant: non faciunt panem, nec in curru ambulant, nisi ad æcclesiam tantum, nec balneant. § 7. Greci Dominico die non scribunt publice, tamen pro necessitate seorsum in domo scribunt. § 8. A vespera usque ad vesperam dies Dominica servetur, secundum quod in lege Dominus præcepit. Opera vero servilia diebus Dominicis nullo modo agantur; id est, nec viri ruralia opera exerceant, nec in vinea colenda, nec in campis arando. metendo, vel fœnum secando, vel sæpem ponendo; nec in silvis stirpare, nec arbores cædere, vel in petris laborare, nec domos construere; nec in orto laborent, nec ad placita conveniant, nec venationes exerceant. Item feminæ opera texilia non faciant, nec abluant vestimenta, nec consuant; nec lanam carpere, nec linum batere, nec vestimenta lavare, nec verveces tondere, vel aliquid hujusmodi habeant licitum; ut omnimodis honor et requies Dominicæ resurrectionis diei servetur. Et ad missarum sollennia ad æcclesias undique conveniant, et laudent Deum pro omnibus bonis, quæ nobis in illa die fecit.

¹ vii. P. ^{2'} non navigant nec equitant; P. Q.

Et quando ad æcclesiam venerint, oblationes pro semetipsis, et pro parentibus ac proximis offerre debent. Et ut nulli in ipsa æcclesia, vel ubi lectio divina recitata fuerit, verbosare præsumant, sed lectiones sanctas libenter convenit audire, sicut Dominus per Moysen dicit: 'Audi Israel, et tace.' Et Apostolus dicit: 'Mulieres in æcclesia taceant.' § 9. Jocationes. et saltationes, et "circum, vel cantica turpia et luxuriosa, vel *lusa diabolica, nec ad ipsas æcclesias, nec in domibus, nec in plateis, nec in ullo loco alio facere præsumant; quia hoc de paganorum consuetudine remansit. § 10. Vigilias vero in nocte Dominica, aut in natale Sanctorum, in nullo alio loco, nisi in æcclesia, observare debent; ibique devota mente cum candelis orationibusque vacare convenit. operantur die Dominico vapulent, si tales personæ sunt; sin autem, vii. dies cum pane et aqua vivant.' § 12. Lavacrum capitis potest esse in die Dominico, si necessitas contigit; pedes § 13. Balneare, ac radere, et tondere, quoque lavare licet. in die Dominico non licet; si quis hoc fecerit, feria 1111. et § 14. Si quis autem die vi. cum pane et aqua vivat. Dominico pro neglegentia jejunaverit, totam ebdomadam debet abstinere; si secundo, dies xx. pœniteat; si postea, 111. xL. dies; si pro dampnatione diei jejunaverit, sicut Judæi, ² exterminabitur ab æcclesia catholica,' quoadusque per confessionem ad pœnitentiam redeat.8

XXXIX. DE NEGLEGENTIA EUCHARISTIÆ.

§ 1. Si quis eucharistiam neglegentiæ causa perdiderit, 1. annum, vel 111. xL^{mas}., seu xL. dies, pæniteat. § 2. Si sacrificium in terra ceciderit, causa neglegentiæ, ⁴L. psalmos cantet. § 3. Qui non bene custodierit sacrificium, et mus

* sic ms.

¹/ Qui operantur die Dominico, eos Greci, prima vice, arguunt; secunda, tollunt aliquid ab eis; tercia vice, partem tertiam de rebus, aut vapulent, vel vii diebus peniteant. N.

^{2&#}x27; abhominetur ab omnibus ecclesiis catholicis, N.

3 Græci et Romani dant servis suis vestimenta, et laborant sine Dominico die. Græcorum monachi servos non habent, monachi Romanorum habent. In illa die ante Natale Domini hora nona expleta missa, id est vigilia Domini, manducant Romani; Græci vero dicta vespere missa cœnant. De peste mortalitatis Græci et Romani dicunt, ipsos infirmos visitare debere, sicut Dominus præcipit. Græci carnes morticinorum non dant porcis, pelles tamen ad calceamenta, et lanam, et cornua accipere licet non ad aliquod sanctum. Lavacrum capitis in Dominica, et in lixivia pedes lavare licet; sed consuetudo Romanorum non est hæc lavatio pedum. P.Q. add.

4 xl. P.

comederit illud, xL dies pæniteat. § 4. Qui autem perdiderit, et non inventum fuerit, xx. dies pœniteat. neglexerit sacrificium, ut vermes in eo sint aut colorem non habet saporemque, xx. vel xxx. vel xL. diebus pœniteat, et in igne projiciatur, cynisque ejus sub altare abscondatur. § 6. Si ceciderit sacrificium de manibus offerentis terra tenus. et non inveniatur, omne quodcunque inventum fuerit in loco quo ceciderit comburatur igni, et cynis ejus sub altare abscondatur; ¹sacerdos deinde medio dampnetur.' Si vero inventum fuerit sacrificium, locus scopa mundetur, et stramen igni comburatur, cynisque, ut supradictum est, abscondatur: sacerdos vero xx. dies pœniteat. Si usque ad altare tantum lapsum fuerit, xv. dies pæniteat. § 7. Si de calice per neglegentiam aliquid stillaverit in terra, lingua lambatur, terraque radatur. Si tabula fuerit, vel petra, ubi ceciderit, similiter radatur, et quod rasum fuerit igni sumatur, et, ut supradictum est, abscondatur; sacerdos vero, L. dies pœniteat. § 8. Si super altare stillaverit calix, sorbeat minister stillam, tresque dies pœniteat. Si super lintheum pervenit ad aliud, vii. dies pœniteat; si usque ad tercium pervenit, ix. dies pœniteat; si usque ad 1111., xī. Lintheamina vero, quæ tetigerit stilla, tribus vicibus lavantur; aqua vero ablutionis sumatur, et in ignem vel currentem aquam projiciatur. § 9. Si quis perfundit aliquid de calice super altare, quando auferuntur lintheamina, vii. dies pœniteat. § 10. Si ceciderit sacrificium de manu portantis in stramen, vii. dies pœniteat § 11. Qui perfundit calicem in fine a quo ceciderit. sollempnitatis missæ, xL. dies pæniteat. § 12. Qui acceperit sacrificium post cybum, vII. dies pœniteat.2 § 13. Omne sacrificium vetustate sordida corruptum igni comburendum § 14. Si casu quis sacrificium perdit, relinquens illud feræ vel avi devorandum, 4xL. dies pœniteat; si neglegens, I. annum poeniteat. § 15. Qui in æcclesia modicam partem perdiderit, et non invenerit, xx. diebus pœniteat, vel unoquoque die psalmos Lxx. cantet. § 16. Si quis acceperit sacrificium.

^{1&#}x27; ille medium annum pœniteat. P.
2 in judicio episcopi est illius. N. add. cum hac nota: hoc in quibusdam non additur, 'esse in judicio episcopi.'

³ Confessio autem Deo soli ut agatur licebit, si necesse est. N. add. cum hac nota: et hoc 'necessarium' in quibusdam codicibus non est.

[✓] si casu, III. ebdomadas jejunet, si neglegens, III. xL^{mas}, N.

pollutus nocturno tempore, antequam pœniteat, xx. dies pœniteat, vel v. psalteria cantet. § 17. Qui communicaverit ignoranter excommunicatum ab æcclesia, xl. dies pœniteat. Si autem scienter fecerit, similiter excommunicabitur. laicus, in ipsa die quando communicaverit, per æbrietatem vel voracitatem, sacrificium evomuerit, xL. dies pœniteat. Si autem postquam dormierit, ante mediam nocteni, fecerit, xxx. dies a potu abstineat. Si vero post mediam noctem fecerit. xx. dies a potu abstineat. Si matutino vel mane fecerit, x. § 19. Si vero canes lambuerint talem dies a potu abstineat. vomitum, c. dies absque aqua pœniteat qui vomit. Si in igne projecit, c. psalmos cantet, vel 11. dies cum aqua pœniteat. Si infirmitatis causa fecerit, vII. dies pœniteat cum aqua. § 20. Si quis sacerdos alicui crimen capitale admittenti ac publicam pœnitentiam agenti, ante reconciliationem, communionem tribuerit, vII. dies pæniteat. §21. Diaconus obliviscens oblationem offerre sine lintheamine, xL dies pæniteat; quia in Evangelio scriptum est, quod Joseph corpus Domini in sindone munda involvit.

XL. DE NEGLEGENTIA NOVI AC SANCTIFICATI PANIS, SIVE DE ALIIS CREATURIS.

§1. Qui autem perdiderit suum crisma, aut solum sacrificium, in regione qualibet, ut non inveniatur, III. xL^{mas}., aut annum I. pœniteat. §2. Qui creaturam perdiderit, hoc est, thus, tabulas, aut scedulam, aut sal benedictum, aut panem novum consecratum, vel aliquid huic simile, IIII. dies pœniteat.

XLI. DE RECONCILIATIONE PŒNITENTUM.

§ 1. Quia quod sæpe varia necessitate perpendimur canonum instituta de reconciliandis pœnitentibus, id est, in cœna Domini pleniter nequimus, tamen nec omnino dimittatur, curet unusquisque presbiter, post acceptam confessionem, pœnitentiamque datam, mox singulos data oratione reconciliari, exceptis his qui publicam agunt pœnitentiam, vel qui non latenter in criminali peccato lapsi sunt; tales vero nullo modo reconciliari oportet, nisi in cœna Domini. Si vero periculum mortis, propter aliquam infirmitatem, incurrerint, ante constitutum

¹ si sit clericus, vel monachus, seu diaconus; presbyter LXX. dies; episcopus XC. P. add.

tempus reconciliari eos oportet, ne forte, quod absit, sine communione ab hoc sæculo discedant. § 2. De communione privatis et ita defunctis, in æpistola Leonis papæ ita scriptum est: 'Horum,' inquid, 'causa Dei judicio reservanda est, in cujus manu fuerit, ut talium obitus usque ad communionis remedium differatur; nos autem quibus viventibus non communicavimus, mortuis communicare non possumus.' quis ad pœnitentiam venit, et postea aliqua egritudo ei contigerit, et non potuerit adimplere quod illi mandatum est a sacerdote, quamvis excommunicatus fiat, tamen suscipiatur ad sanctam communionem; et si voluerit Deus salvum facere, eique vitam concedere, jejunet postea. § 4. Si quis non pœnitet, et forsitan cæciderit in ægritudinem, et quæsierit communicare, non prohibeatur, sed date ei sanctam communionem, ita tamen ut omnia sit ante confessus; et mandate illi ut, si placuerit Dei misericordiæ ut evaserit de ipsa egritudine, mores suos et actus, in quibus antea deliquit, omnino corrigere debeat, cum pœnitentia; quia omnibus morientibus, secundum auctoritatem Niceni concilii, sine cunc-§ 5. Si autem tamine, communio et reconciliatio præbeatur. aliquis excommunicatus fuerit mortuus, qui jam sit confessus, et non occurrit communicare, sed occupavit eum subita mors, sive in via, sive in domo; si est aliquis ex parentibus ejus, qui aliquid pro eo offerat, ad sanctum altare, aut ad redemptionem captivorum, vel pauperibus tribuat. Affricano etiam concilio scriptum est, ut scenicis atque istrionibus, ceterisque hujusmodi personis, reconciliatio non negetur.

XLII. DE COMMUNIONE JUDÆORUM VEL GENTILIUM.

§ 1. Si quis Christianus a perfidis Judæis azima eorum accipit, vel alium quemlibet cybum, vel potum, et communicat impietatibus eorum, xl. dies cum pane et aqua pœniteat; quia scriptum est: 'Omnia munda mundis, coinquinatis autem et infidelibus nihil est mundum, sed omnia sunt communia.' § 2. Si quis Christianus cum gentilibus festa eorum cælebrat, aut manducat vel bibit cum eis, et communicat pravitatibus eorum qui sine Deo sunt, xl. dies pœniteat, exceptis his qui per vim ducuntur in captivitatem, et quos ad talia comedenda necessitas compellit; hi vero, si quando reversi fuerint, omnem ritum gentilium execrare debent, et pœnitere judicio

presbiteri; quia scriptum est: 'Non potestis bibere calicem Domini et calicem dæmoniorum; et 'Quæ societas tenebris § 3. Si quis Christianus Christianum hominem, cum luce? quamvis servum proprium, in manu Judæorum vel gentilium vendiderit, ac per hoc, separatus ab æcclesia catholica, Christianitatem suam perdiderit, ille non est dignus inter Christianos requiem habere, donec redimat eum. Si autem non potuerit redimere eum, precium quod accepit, det pro eo, et alium de servitute alio precio redimat, et III. annos abstineat a carne, et vino, et medone; et ferias legitimas, in unaquaque ebdomade, jejunet ad nonam, et manducet de sicco cybo. autem pauper est, et forsitan precium non habuerit unde aliquem redimat, tamen de labore suo aliquid det pro eo, et § 4. Si quis Christianus alterum Chrispœniteat vII. annos. tianum suaderit, ac in alteram regionem seduxerit, ibique eum vendiderit pro proprio servo, ille non est dignus inter Christianos requiem habere, donec redimat eum, et reducat ad proprium locum. Si autem non potuerit redimere eum, redimat alterum de servitute, et det pro eo aliquid de labore suo, et pœniteat 11. annos. Si autem pauper est, et non habet unde redimat eum, vII. annos pœniteat, et oret pro eo jugiter. § 5. Si quis Christianus alterum Christianum vagantem reppererit, eumque furatus fuerit, ac vendiderit, non debet habere inter Christianos requiem, donec redimat eum, et pro illo furto vii. annos pœniteat. Si autem non potuerit redimere eum, precium quod accepit det pro eo in elemosinam illius, et alium redimat de servitute, et pœniteat vii. annos. Si autem pauper est, et non habet unde alium redimere valeat, tamen aliquid det pro eo, et pœniteat x. annos.

XLIII. DE PRESBITERIS QUI MORIENTIBUS PŒNI-TENTIAM DENEGANT, ET QUI INFIRMOS NON BAPTIZANT.

§ 1. Si quis presbiter pœnitentiam morientibus abnegaverit, reus erit animabus eorum; quia Dominus dicit: 'Quacunque die conversus fuerit peccator, vita vivet et non morietur.' Vera ergo ad Deum conversio in ultimis positorum, mente potius est estimanda quam tempore, propheta hoc taliter asserente: 'Cum conversus ingemueris, tunc salvus eris.' Cum ergo Dominus sit cordis inspector omni tempore, non est deneganda pœnitentia postulanti. Denique latro positus in cruce, propter confessionem unius momenti, hora ultima,

meruit esse in paradyso; Domino dicente: 'Amen dico tibi, hodie mecum eris in paradyso.' § 2. Quicunque enim presbiter, in provincia propria, aut in aliena, vel ubicunque inventus fuerit, commendatum sibi infirmum baptizare non vult, quamvis de parrochia alterius sit, vel pro intentione itineris, et sic sine baptismo moritur, deponatur. § 3. Sed et omnibus fidelibus licet, ubi forte morituros invenerint non baptizatos, necessitate cogente, baptizare; immo præceptum est animas eripere a diabolo per baptismum, id est, benedicta simpliciter aqua, in nomine Domini, baptizare illos, in nomine Patris, et Filii, et Spiritus Sancti, intinctos aut superfusos aqua.

XLIV. QUOD GRECI SINGULIS DOMINICIS COMMUNICENT.

§ 1. Greci omni die Dominico communicant, clerici et laici; et qui in tribus Dominicis non communicaverint, excommunicantur, sicut canones habent. § 2. Romani similiter communicant, qui volunt; qui autem nolunt, non excommunicantur. §3. Greci et Romani tribus diebus abstinent se a mulieribus antequam communicent, sicut in lege scriptum est. tentes, secundum canones, non debent communicare ante consummationem pœnitentiæ; nos autem, pro misericordia Dei, post annos 11. vel 1., aut post menses v1. licentiam damus communicandi, ne forte absque communione ab hac vita discedant, quia de communione privatis et ita defunctis superius satis est expressum; ea tamen ratione, ut ante vita et conversatio eorum discutiatur, et si digna inventa fuerit, tunc hanc benivolentiam demum consequantur. Sciendum est vero, quia pro qualitate criminum varietas temporum posita est.

XLV. DE COMMEMORATIONE DEFUNCTORUM, VEL DE MISSA PRO EIS, ET CUR III., VII., VEL XXX., AUT ANNIVERSARIUS DIES CÆLEBRETUR.

§ 1. Missa pro mortuis in hoc differt a consueta missa, quod sine Gloria, et Alleluïa, et pacis osculo, cælebratur. Solemus memoriam mortuorum generaliter celebrare tercia, ac septima, et tricesima die; unde talem habemus auctoritatem in Veteri Testamento; scriptum est in libro Numerorum,

*L xix. capitulo *xivii.: 'Qui tetigerit cadaver hominis, et propter hoc fuerit inmundus vII. dies, aspergatur aqua benedicta die § 2. In celebratione autem III. et vII., et sic mundabitur.' dierum xxx. suffulti sumus Moysi et Aaron celebratione; ita

scriptum est in eodem libro, capitulo *L.: 'Omnis multitudo * 1. xx.

videns occubuisse Aaron, flevit super eo xxx. diebus, per cunctas familias suas.' Et iterum in Deuteronomio, de Moysi, capitulo *clini.: 'Fleverunt super eum filii Israel, in campestribus Moab, xxx. diebus.' § 3. Inmundum autem cadaver hominis pollutam animam significat mortuis operibus. gatio mortui hominis per sacrificium sacerdotis, tertia die et vii., congruit naturæ humanæ: peccatum animæ, quæ neglexit Dei cultum in cogitatione, vita, et in intellectu, humiliter confitendo, offerimus Deo sacrificium tercia die, ut ab his peccatis purgetur: similiter peccatum quod per corpus gessit, cupimus purgari in quarto die post tercium diem, id est, VII. post mortem suam, quia corpus notissimis elementis sub-§ 5. Duobus modis committitur omne peccatum, aut faciendo ea quæ non debuimus facere, aut omittendo ea quæ § 6. Omnia peccata quæ egit et non debuimus facere. debuit agere, deflemus usque ad septimum diem, in quo numero designatur universitas; deinceps, usque ad tricesimum diem, rogamus et pro illis quæ debuit facere et non fecit. § 7. Seorsum vero rogamus pro anima, et seorsum pro corpore; quando vero studemus ut opera amicorum nostrorum sint plena coram Deo, tricesimo die pro eis sacrificium offerimus. Solent vero nonnulli interrogare, si liceat cotidie orare, et sacrificium Deo offerre pro mortuis? Quibus respondetur, quia plerique in Dominicis diebus sacrificium pro mortuis non offerant, propter singularem reverentiam Dominicæ resurrectionis, videlicet, quia Ille solus inter mortuos liber fuit, ideo valde condecet ut ejus singularis resurrectio venerabiliter ab omnibus, et sine alicujus admixtione defuncti, cælebretur: quia vero quod agitur in tercia, et septima, et tricesima die. publice agitur, et generaliter ab omnibus amicis. versarius dies ideo reppetitur pro defunctis, quoniam nescimus qualiter eorum causa habeatur in alia vita. Sicut Sanctorum anniversarias dies in eorum honore ad memoriam nobis reducimus, super utilitatem nostram, ita defunctorum ad utilitatem

*atque add.? illorum, et nostram devotionem implendam, credendo nos * eos aliquando venturos ad consortium Sanctorum. § 9. Alioquin omni tempore bonum est orare pro defunctis, etiam si nesciatur

dies defuncti pro oblivione, seu per ignorantiam, vel prætermittatur propter occupationem aliquam terrenam, sicut scriptum est: 'Sancta ergo et salubris est cogitatio pro defunctis orare, ut a peccatis solvantur.' § 10. Pro defuncto monacho missa agatur die sepulturæ ejus, et tercia die, ac septima, vel xxx., et postea quantum voluerit abbas. § 11. Missam quoque monachorum per singulas septimanas cantare, et eorum nomina § 12. Consuetudo etiam est Romanæ recitare, mos est. æcclesiæ, monachos, vel homines religiosos defunctos, in æcclesiam portare,1 ibique missam pro eis cælebrare; deinde cum cantatione portare ad sepulturam; et cum positi fuerint in sepulchro, funditur pro eis oratio; deinde humo vel petra operiuntur. Prima, et III., et 2 vII., nec non et tricesima die. pro eis, sicut superius dictum est, missa cælebratur, set postea quantum voluerit.' § 13. Missa sæcularium mortuorum ter in anno, tertia die, et 2vII., et xxx., quia surrexit Dominus stertia die le et vii. dies jejunavere filij Israel pro Saul, et xxx. dies, sicut superius dictum est, Moysen planxere. § 14. Solent nonnulli dicere etiam quod non liceat missam pro infantibus cantare ante vii. annos, sed hi nimirum improvida consideratione falluntur; quia videlicet et in Libro Sacramentorum missa repperitur pro nuper baptizato. § 15. Nonnulli solent interrogare, si pro omnibus regeneratis liceat sacrificium Mediatoris offerre, quamvis flagitiosissime viventibus, et in malis operibus perseverantibus? De hac questione varia expositio patrum invenitur; sed singula ante oculos ponemus, quæ ad memoriam recurrunt, ut unusquisque quod velit assumat. Venerabilis pater namque Agustinus ad Paulinum, 'De cura pro mortuis gerenda,' libro secundo, ita dicit: 'Quamvis non pro quibus fiunt omnibus prosint, sed eis tantum pro quibus dum vivunt comparantur ut prosint; sed quia non discernimus qui sint, oportet ea pro regeneratis omnibus facere, ut nullus eorum prætermittatur, ad quos hæc

Israël jejunaverunt; postea quamdiu voluerint presbiteri.

quia surrexit Dominus tertia die, et nona hora spiritum emisit,

et triginta diebus Moysen planxerunt filii Israel. P. Q.

¹ et cum chrismate ungere pectora, P. add.

² nona P.Q.

S' exinde post annum, si voluerit, servetur. P. Item alio loco: postea quantum voluerit abbas: pro laico bono tertia die vel septima; et propinquos ejus oportet jejunare septem diebus, et oblationem offerre ad altare, sicut in Jesu filii Sirach legitur: 'Et pro Saul filii Jaraël jejunaverunt:' postea quamdiu voluerint presbiteri.

beneficia possint et debeant pervenire; melius enim supererunt super eis quibus nec obsunt nec prosunt, quam eis deerunt quibus prosunt.' Sed huic sententiæ videtur contrarium quod Johannes Apostolus dicit: 'Est peccatum usque ad mortem, non pro illo dico ut quis roget.' Et hoc capitulum idem venerabilis pater ita exponit: 'In eo quod dicit, est peccatum usque ad mortem, non pro illo dico ut quis roget, aperte ostendit esse quosdam fratres, pro quibus orare nobis non præcipitur, cum Deus etiam pro persecutoribus nostris orare nos jubeat. Nec ista questio solvi potest, nisi fateamur esse aliqua peccata in fratribus, quæ inimicorum persecutione graviora sint. Fratres autem Christianos significare, multis divinarum Scripturarum documentis probari potest; manifestissimum tamen illud est quod Apostolus ponit: Sanctificatus est enim vir infidelis in uxore, et sanctificata est mulier infidelis in fratre: non enim addidit nostro, sed manifestum existimavit eum fratris nomine Christianum intelligi, qui infidelem haberet uxorem. Peccatum ergo fratris ad mortem esse puto, quod post agnitionem Dei, per gratiam Domini nostri Jesu Christi, quisque obpugnat fraternitatem, et adversus ipsam gratiam, qua reconciliandus est Deo, invidiae facibus agitatur.' Aliter est. 'Peccatum usque ad mortem utique peccat ille peccator, qui in hujus temporalis vitæ cursu poenitentiam non agit. Ecce hic dicit, quod pro fratribus sic peccantibus non liceat orationem fundere; quanto magis nec sacrificium Mediatoris offerre? Et quomodo potest esse conveniens, ut pro omnibus regeneratis liceat sacrificium offerre, quando pro fratribus sic peccantibus saltem non conceditur vel precem fundere; nisi forte ita intelligamus, ut eos solummodo dicat regeneratos in Christo, qui fidem Dominicam, quam in baptismate percipiunt, usque ad exitum vitæ inconcussam cum bonis operibus student custodire; et quia scriptum est: Fides sine operibus mortua est; et iterum: Confitentur se nosse Deum, factis autem negant?' Et Johannes Apostolus dicit: 'Qui dicit se in Christo manere, debet ambulare sicut ipse ambulavit.' His quoque sententiis concordat auctoritas canonica. In concilio Bracarensi, cap. vi. ita scriptum est: 'Placuit ut hi qui sibi ipsis, aut per ferrum, aut per venenum, aut per precipitium, vel quolibet modo, violenter inferant mortem, nulla his commemoratio fiat; neque cum psalmis ad sepulturam eorum cadavera deducantur; multi etiam hoc sibi jus per ignorantiam usurpant. Similiter de his placuit qui

pro suis sceleribus puniuntur.' Dyonisius Ariopagita, antiquus videlicet et venerabilis pater, dicit blasphemias Deo facere qui missam cælebrat pro malis et impiis hominibus. Item Agustinus, in libro Enchiridion ad Laurentium, 'De cura pro mortuis gerenda,' cap. cxiiii., ita dicit: 'Neque negandum est, defunctorum animas pietate suorum viventium relevari, cum pro illis sacrificium Mediatoris offertur, vel elemosinæ in æcclesia fiant: sed eis hæc prosunt, qui cum viverent ut hæc sibi postea possent prodesse meruere.' enim quidam vivendi modus nec tam bonus, ut non requirat ista post mortem, nec tam malus, ut non ei prosint ista post mortem; est vero talis in bono, ut his non requirat, et item rursus talis in malo, ut nec his valeat, cum vita transierit, adjuvari. Quocirca hic omne meritum comparatur, quo possit post hanc vitam relevari quispiam vel gravari. Nemo autem se speret quod hic neglexerit, cum obierit, a Deo promereri. Quinetiam hoc meritum sibi quisque, cum in corpore viveret, comparavit, ut ei possint ista prodesse, non enim omnibus prosunt; et quare non omnibus prosunt, nisi propter differentiam vitæ quam quisque gessit in corpore? Cum ergo sacrificia, sive quarumcunque elemosinarum* pro baptizatis defunctis omnibus offeruntur, pro valde bonis gratiarum actiones sunt; quibus autem prosunt, aut ad hoc prosunt, ut sit plena remissio, aut certe, ut tolerabilior fiat ipsa dampnatio.' Beatus vero Gregorius, 'De cura gerenda pro mortuis,' ita dicit: 'Si culpæ, inquid, post mortem insolubiles non sunt, multum solet animas etiam post mortem sacra oblatio hostiæ salutaris adjuvare; ita ut hoc nonnunquam ipsæ defunctorum animæ videantur expetere.' Hoc autem sciendum est, quia illic saltem de minimis nihil quisque purgationis obtinebit, nisi bonis hoc actibus, in hac adhuc vita. positus, ut illic obtineat promereatur.

largitiones add. ?

XLVI. DE RITU MULIERUM IN ÆCCLESIA.

Non oportet mulieres ingredi ad altare, neque aliquid ex his quæ virorum sunt officiis deputata attingere: id est, non velent altare cum corporale, nec oblationes, neque calicem,

¹/ Sed licet Dionysius Areopagita dicat blasphemiam Deo facere, qui missas offert pro malo homine, Augustinus tamen dicit, pro omnibus Christianis hoc esse faciendum, quia hoc vel eis proficit, aut offerentibus aut petentibus. *P*.

super altare ponant, neque stent inter ordinatos in æcclesia, neque in convivio sedeant inter sacerdotes, neque alicui prenitentiam præsumant judicare, neque crucem, vel reliquias Sanctorum, bajulent, neque sacrificium dispensent; tamen possunt, sub nigro velamine, accipere sacrificium, ut Basilius judicavit.

XLVII. DE ÆCCLESIA IN QUA MORTUORUM CADA-VERA, FIDELIUM SIVE INFIDELIUM, SEPELIUNTUR.

§ 1. Missam celebrare in æcclesia licet, ubi fideles ac religiosi sepulti fuerint. Si vero infideles, ac heretici, vel perfidi Judæi sepulti fuerint, sanctificare, vel missam cælebrare, non licet; sed si apta videtur ad consecrandum, inde evulsis * sanctifi- corporibus, et rasis vel lotis parietibus, * sanctificabitur, si antea consecrata non fuit. § 2. Æcclesiam licet poni in &3. Et in loco altaris alium locum, si necessitas fuerit. § 4. Nonnulli dicunt, quod non debeat crux debet poni. iterum sanctificari, sed tantum presbiter aquam spargere debet; sed tamen melius videtur ut sanctificetur ille locus, quia in dedicatione æcclesiæ canitur: 'Locus a Deo iste § 5. Ligna æcclesiæ non debent ad aliud opus [poni], nisi ad aliam æcclesiam, vel igne comburenda, aut ad aliquid profectum in monasterio. Fratribus coquere cum eis panem licet. Talia vero ligna in laicata opera non debent poni.

XLVIII. DE RELIQUIIS SANCTORUM. VEL RITII SACERDOTUM, ET DIACONORUM, LAICORUMQUE IN ÆCCLESIA.

§ 1. Alia veneratio est in Deo, alia in Sanctis: solum namque æternum Deum, Patrem scilicet, et Filium, et Spiritum Sanctum, adorare debemus, eique soli sacrificium et preces vel vota persolvere; unde scriptum est: 'Dominum Deum tuum adorabis, et illi soli servies.' § 2. Forte aliquis quærit, quomodo conveniat quod hic præcipitur, Domino soli serviendum, Apostoli verbo, qui dicit: Servite per caritatem invicem?' Sed huic facile linguæ Grecæ, ex qua Scriptura translata est, origo satisfacit, in qua servitus duobus modis ac diversa significacione solet appellari; dicitur latria, dicitur et dulia; sed dulia intelligitur servitus communis, sive Deo. sive homini, sive cuilibet rerum naturæ exhibita; a qua etiam

cetur?

servus, id est dulos, nomen accepit. Latria autem vocatur servitus illa, quæ soli Divinitatis cultui debita est, neque ulli est participanda creaturæ; unde et idolatræ nuncupantur hi, qui vota, preces, et sacrificia, quæ uni Deo debuerant, inpendunt creature. Jubemur ergo per caritatem servire invicem, quod est Grece * ATAYAN; jubemur uni Deo servire, * LAOTAETEIN. quod est Grece " AAOPYON; unde dicitur: 'Et illi soli servies,' "LAATPETEIN. quod est Grece * AAOPHTCYC. Et iterum: 'Nos enim simus * L AATPETZEIZ. circumcisione Spiritui Dei servientes,' quod est in Greco latreuontes. Itaque, ut prædiximus, alia veneratio est in Deo, alia in Sanctis. Solam Trinitatem adorare debemus, Sanctos vero intercessores pro peccatis nostris quærere. Unde et ad distinguendas has duas venerationes, optime in Lætania scribitur, in primis namque dicitur, 'Christe, audi nos;' ac deinde, 'Sancta Maria, ora pro nobis:' neque dicitur, Christe, ora pro nobis, et Sancta Maria, vel Sancte Petre, audi nos, sed, 'Christe, audi nos;' et, 'Fili Dei, te rogamus, audi nos.' ¹Reliquiæ tamen Sanctorum venerandæ sunt, et, si potest fieri, in æcclesia, ubi reliquiæ Sanctorum sunt, candela ardeat per singulas noctes.' Si autem paupertas loci non sinit, non nocet eis. In natale Sanctorum incensum incendatur pro reverentia diei; ²quia ipsi sunt lilia quæ dedere odorem suavitatis, et primitus æcclesiam aspersere sicut spargit incensum.' § 3. Æpiscopum licet in campo confirmare, si neces-§ 4. Presbiterum duas missas in uno altare sitas fuerit.8 cantare licet. § 5. Presbiter, si responsorium cantat in missa, vel quæcumque agat, cappam suam non tollat; si Evangelium legit, super humeros ponat. § 6. Non licet diaconum laico pœnitentiam judicare, sed æpiscopi et pres-

^{1&#}x27; Gradus non debemus facere ante altare, ubi reliquiæ Sanctorum venerandæ sunt. Si potest, candela ardeat ibi per singulas noctes.
P O.

^{2'}quia ipsi, sicut lilia, dederunt odorem suavitatis, et asperserunt ecclesiam Domini, sicut incenso aspergitur primitus juxta altare. P.

³ Similiter et presbitero agere, si diaconus, vel presbiter ipse, calicem vel oblationem manibus tenuerit. Episcopus non debet abbatem cogere ad sinodum ire, nisi etiam aliqua rationabilis causa sit. Episcopus dispensat causas pauperum, usque ad L. solidos; rex vero si plus est. Episcopus et abbas hominem sceleratum servum possunt habere, si pretium redimendi non habet. Episcopo licet votum solvere, si vult. Presbitero soli licet missas facere, et populum benedicere in Parasceve, et crucem sanctificare. Presbiter decimas dare non cogitur. Presbitero non licet peccatum episcopi prodere, quia super eum est. P. Q. add.

§ 7. Diaconi possunt baptizare, et biteri judicare debent. § 8. Subdiaconi non possunt cybum vel potum benedicere. baptizare, neque panem dare, vel calicem benedicere. licet subdiaconos habere locum in diaconio. § 10. Non licet diaconum coram presbiteris sedere, sed jussione presbiteri sedeat. § 11. Similiter autem et diaconus honorem habeat ab obsequentibus, id est subdiaconis et omnibus clericis. § 12. Diaconi apud Grecos non dicunt, 'Dominus vobiscum.' § 13. Sacrificium non est accipiendum de manu sacerdotis qui orationes vel lectiones secundum ritum implere non potest.1 § 14. Laicus in æcclesia juxta altare non debet lectionem recitare ad missam. nec in pulpito Alleluia cantare, sed psalmos tantum aut responsoria, sine Alleluia. § 15. Aqua benedicta domos suas aspergant, quotiens voluerint, qui habitant in eis. 8 16. Et quando presbiter consecraverit aquam, primum orationem dicat. § 17. Nullus namque presbiter nihil aliud in sacrificio offerat. præter hoc quod Dominus docuit offerendum; id est, panem sine fermento, et vinum cum aqua mixtum; quia de latere Domini sanguis et aqua exivit. § 18. Cum ad cælebrandas missas in Dei nomine convenit, populus non antea discedat ab æcclesia quam missa finiatur, et diaconus dicit: 'Ite, missa § 19. Si quis æpiscopus aut presbiter juxta præceptum Domini non baptizaverit, id est, in nomine Patris et Filii et Spiritus Sancti, sed in tribus sine initio principibus, aut in tribus filiis, aut in tribus paraclitis, deponatur. si quis æpiscopus aut presbiter non trinam mersionem in baptismo celebret, sed semel mergat, quod dare videtur in morte Domini, deponatur; non enim dixit nobis Dominus: In morte mea baptizate, sed, 'Ite, docete omnes gentes, baptizantes eos in nomine Patris et Filii et Spiritus Sancti.' §21. Mulier baptizare non præsumat, nisi cogente necessitate maxima. § 22. In catecumeno, et baptismate, et confirmatione, unus potest esse pater, si necesse est. § 23. Virum autem licet fæminam suscipere in baptismo, similiter et fæminam licet § 24. Non licet baptizatis manducare virum suscipere. cum catecumenis, neque osculum eis dare. § 25. Necesse est ergo vobis sacerdotibus, fratres karissimi, sollicitos esse pro

¹ Presbiter fornicans, si, postquam compertum fuerit, baptizaverit, iterum baptizentur illi quos baptizavit. Si quis presbiter ordinatus deprehendit se non esse baptizatum, baptizetur et ordinetur iterum. Diacones cum Grecis non frangunt panem sanctum, nec collectionem dicunt, vel 'Dominus vobiscum,' vel completam. P. Q. add.

peccantibus; quia sumus alterutrum membra, et si quid patitur unum membrum, compatiuntur omnia membra. Ideoque si videris aliquem in peccatis jacentem, festina eum ad pœnitentiam per tuam doctrinam vocare; et quotienscumque dederis consilium peccanti, simul quoque da illi pœnitentiam statim, quantum debeat jejunare, et redimere peccata sua; ne forte obliviscaris quantum eum oporteat pro suis peccatis jejunare, tibique necesse sit ut iterum exquiras ab eo peccata; ille, si forsitan erubescet iterum peccata sua confiteri, invenietur amplius jam judicari. Non enim omnes clerici hanc scripturam usurpare aut legere debent qui inveniunt eam, nisi soli illi quibus necesse est, hoc est presbiteri. Sicut enim sacrificium offerre non debent nisi æpiscopi et presbiteri, quibus claves regni cœlestis traditæ sunt, sic nec judicia ista alii usurpare debent. Unusquisque autem sacerdos studiose cogitet de medicamento animarum, quomodo suam et aliorum animas salvare valeat, in erudiendo, in docendo sanum sermonem; quia qui bene ministrat, bonum gradum sibi adquirit apud Eum qui est super omnia Deus benedictus in sæcula sæculorum. Amen.

XLIX. QUOD NULLI SIT ULTIMA PŒNITENTIA DENEGANDA.

Vera ergo ad Deum conversio in ultimis positorum mente potius est estimanda quam tempore, propheta hoc taliter asserente: 'In quacumque die peccator conversus fuerit ingemueritque, salvus erit.' Et evangelicus sermo dicit: 'Gaudium est angelis Dei super uno peccatore,' et reliqua. Cum ergo Dominus sit cordis inspector quovis tempore, non est deneganda pœnitentia postulanti, cum illi se obliget judici, cui occulta omnia noverit revelari. Dominus enim, per Ezechiel Prophetam, cum jurejurando promisit, dicens: 'Vivo ego, nolo mortem peccatoris, sed magis ut convertatur et vivat.' Item dicit: 'Si impius egerit pœnitentiam ab omnibus peccatis suis, et fecerit judicium et justitiam, vita vivet et non morietur.' Heu quam terribiliter iterum dicit: 'Si averterit se justus a justitia sua, et fecerit iniquitatem, omnes justitiæ ejus quas fecerat non recordabuntur; in peccato enim suo quod peccavit, in ipso morietur.' Unumquemque enim Deus de suo

¹ Si autem necessitas evenerit, ut presbyter non fuerit præsens, diaconus accipiat pænitentem ad communionem sanctam. P. add.

fine, non de vita præterita, judicat; non enim inchoantibus præmium promittitur, sed perseverantibus datur. Nunc igitur simus melioris consilii nobismetipsis, adtendentes illud propheticum Isaiæ: 'Lavamini, mundi estote, auferte malitiam de cordibus vestris; quiescite agere perverse, discite bene facere; et si fuerint peccata vestra ut coccinum, quasi nix dealbabuntur.' Ambulemus igitur, fratres, dum lucem habemus, ne nos tenebræ comprehendant; nec differamus de die in diem. dum nescimus si vel unius diei spatium habemus. sequitur me,' inquid Dominus, 'non ambulat in tenebris, sed habebit lumen vitæ.' Satis itaque alienus a fide est, qui ad agendam pœnitentiam tempora senectutis expectat; metuendum est ne, dum sperat misericordiam, incidat in mortem. Salomon enim dicit: 'Spes quæ differtur affligit animam.' Et Isidorus dicit: 'Qui mala agere non desistunt, vana spe indulgentiam de Dei pietate requirent.' Corrigamus igitur nosmetipsos, et indulgentiæ spem habeamus; nulla tam gravis est culpa, quæ non habeat veniam; cui enim venia de peccato cadit, desperatio pejor est omni peccato; nulla itaque securitas nos a pœnitentiæ intentione suspendat. Multi enim se credebant longo tempore vivere, et ita illos mors repentina subtraxit, ut nec ad momentaneam potuissent pœnitentiam pervenire. Erubescimus modo parvo tempore pœnitentiam agere, et non timemus sine ullo termino æterna supplicia sustinere. Qui enim pro peccatis sibi ipsi non parcit, Deus cito illi indulgentiam tribuet, cui honor et gloria, in sæcula sæculorum. Amen.

L. DE HIS QUI MORIENTIBUS PŒNITENTIAM DENEGANT.

Si quis presbiter pœnitentiam morientibus abnegaverit, reus erit animarum; quia omnibus morientibus, secundum auctoritatem Niceni concilii, sine cunctatione, communio post confessionem, et reconciliatio præbeatur. Denique latro in cruce positus, propter confessionem unius momenti, hora ultima, meruit esse in paradyso.

DE PENITENTIARUM DIVERSITATE.

Legimus in Pœnitentiali, pro criminalibus culpis, annum 1. aut II. aut III. sive IIII. aut v. vel vI. vel vII. pœnitentiam agere in pane et aqua; vel pro aliis minutis culpis, diem 1., aut ebdomadam, vel mensem I., sive dimidium annum. Sed hæc causa et ardua et difficilis est, et istis jam temporibus id suadere pænitentibus non possumus. Et ideo, qui ita non potest consilium damus, ut unusquisque pœnitenti in aliis piis operibus quantum potest suadeat diluere peccata sua; id est, in orationibus, et psalmis, ac vigiliis, et elemosinis, et assiduis lamentationibus, sive in cruce stando, ac sæpius flectendo genua; nec non et in susceptione pauperum et peregrinorum; et jejunet, sicut venerabilis presbiter Beda ordinavit. Ita enim dicit: 'Pœnitentia semper isto ordine servata sit, ab uno anno et deinceps, de qualicumque peccato: id est, in unaquaque ebdomada, III. dies sine vino, et medone, et carne; et jejunet ad vesperam, et manducet de sicco cybo, et III. xL^{m2s}. semper de sicco cybo vivat; in diebus vero Dominicis, et festivitatibus præcipuis, faciat caritatem, sicut sui compares clerici vel laici faciunt; ebrietatem autem et ventris distensionem in omnibus caveat, faciatque quod Apostolus dicit: Sive manducatis, sive bibitis, sive quicquid facitis, omnia ad gloriam Dei facite;' tunc ergo digna pœnitentia est, si hoc modo impletur.

ITEM DE PŒNITENTIARUM DIVERSITATE.

Theodorus, 'De ægris, qui jejunare non possunt; precium viri, vel ancillæ, pro mense, vel pro anno.'——Pro mense dicit, vel anno, quia potentes plus dare possunt pro mense, quam pauperiores pro anno. Et qui potest implere quod in Pœnitentiali scriptum est, valde bonum est; quia qui per corpus peccat, per corpus et pœniteat. Qui autem jejunare pro infirmitate non potest, secundum posse pauperibus elemosinam tribuat; id est, pro unaquaque die denarium, vel 111., vel 1111., et dimittat debitoribus, et in se peccantibus, convertatque peccatores ab errore. Item. Pro anno donet in elemosinam solidos xxx.; secundo anno xx.; tertio anno xv.

^{*} Ex argumento, ex mentione Bedæ, nec non ipsius Theodori, satis patet hoc et sequens capitulum ad ejusdem Librum Pœnitentialem non pertinere; itaque non est visum ea inter rubricas libro præfixas numerare.—T.

Potentes potenter pœniteant, vel pœnitentiam potenter redimant, id est, ut Zacheus dicit: 'Domine dimidium bonorum meorum,' et reliqua. Et qui potest, de terra aliquid æcclesiis Dei offerat in elemosinam, et de mancipiis dimittat liberos, ac captivos redimat, et quod injuste egit, ab illo die non repetat. Item. Cantatio unius missæ pro tribus diebus, tres missæ pro ebdomada, duodecim missæ pro mense, duodecies xII. missæ pro anno. Item. Pro uno die, L. psalmi cum genuflexionibus, vel psalterium totum, sine genuflexione. Item. Qui psalmos non novit, et jejunare, sive vigilare, vel genucleare, vel in cruce stare, aut *sæpe prosternere, seu aliter pœnitere, pro infirmitate non potest, eligat qui pro illo hoc impleat, et de suo precio aut labore hoc redimat; quia scriptum est: 'Alter alterius honera,' et reliqua. Alia. Quidam dicunt; quod non liceat missam cantare pro illo qui publice pœnitentiam agit; nisi prius laverit peccata sua cum lacrimis; et Johannes Apostolus dicit: 'Est peccatum usque ad mortem, pro illo dico ut quis non roget:' id est, qui in hujus vitæ cursu pœnitentiam non agit, pro illo orationem fundere non licet; quanto magis nec sacrificium Mediatoris offerre? Qui autem vel in ultimo vitæ spiritu fiducialiter pœnituerit, confitendo peccata, pro illo oportet orare, illumque reconciliari; quia in actione pœnitentiæ, non tam consideranda est mensura temporis quam doloris; Dominus namque per prophetam attestatus est. dicens: 'In quacumque die peccator conversus fuerit et ingemuerit, salvus erit.' Et psalmista dicit: 'Cor contritum et humiliatum Deus non spernit.' Cui Deo honor et gloria in secula seculorum. Amen.

Te nunc, sancte speculator, Verbi Dei digne dator, Hæddi, pie presul, precor, Pontificum ditum decor, Pro me tuo peregrino, Preces funde Theodoro.

* se ?

^{*} Codex N. his clauditur versiculis:

CAPITULA ET FRAGMENTA

THEODORI OPERUM,

EX DIVERSORUM SCRIPTIS EXCERPTA.

EX "'PŒNITENTIALI THEODORI.'

DE ORDINATIONE DIVERSORUM.

In ordinatione episcopi debet missa cantari ab ipso episcopo ordinante. In ordinatione presbyteri sive diaconi oportet episcopum missas celebrare, ² sicut Græci solent in electione abbatis agere, vel abbatissæ.' In monachi vero ordinatione, abbas debet missas agere, et tres orationes super caput ejus complere: et septem dies velet caput suum cuculla sua, et septima die abbas tollat velamen suum. Sicut in baptismo presbyter solet infantibus auferre, ita et abbas debet monacho, quia secundum baptisma est, juxta judicium patrum, in quo omnia peccata dimittuntur. Presbyter potest abbatissam consecrare cum missæ celebratione. In abbatis vero ordinatione, episcopus debet missam agere, et eum benedicere inclinato capite, cum duobus vel tribus testibus de fratribus suis, et donet ei baculum et pedules. Sanctæmoniales vero basilicas sibi commissas semper debent consecrare. Græci simul benedicunt viduam et virginem; et utramque semper habent con-Abbatem eligunt. Romani non velant viduam, Secundum Græcos presbytero licet virginem sacro velamine consecrare, et reconciliare pœnitentem, et facere oleum exorcizatum, et infirmis chrisma, si necesse est. Secundum Romanos, non licet, nisi episcopi soli.

^{&#}x27;Incipit judicium de penitentia Theodori episcopi. Q.

^{2&#}x27; Similiter faciunt quando abbatem faciunt, vel abbatissam. Q.

A Jacobo Petit edito, ex duobus codicibus Mss. Bibliothecæ Thuanæ.

DE ABBATIBUS, ET MONACHIS, VEL MONASTERIIS.

Abbas potest pro humilitate, cum permissione episcopi, locum suum derelinguere; tamen fratres eligant sibi abbatem de ipsis, si habent; sin autem, de extraneis. Nec episcopus debet violenter retinere abbatem in loco suo. Congregatio debet sibi eligere abbatem post ejus mortem, aut eo vivente, si discesserit vel peccaverit. Ipse non potest aliquem ordinare de suis propinquis, neque alienis, nec alium abbatem dare, sine voluntate fratrum. Si vero peccaverit abbas, episcopo non licet tollere possessionem monasterii, quamvis peccaverit abbas; sed mittat eum in aliud monasterium, in potestate alterius Non licet abbati, neque episcopo, terram ecclesiæ convertere ad aliam, quamvis ambæ in potestate ejus sint. ¹Si mutare vult terram ecclesiæ, faciat cum consilio episcopi, et fratrum suorum,' et dimittat in priorem locum presbyterum ad ministeria ecclesiae. Non licet viris feminas habere monachas, neque feminis viros; tamen non destruamus illud quod consuetudo est in hac terra. Monacho non licet votum vovere, sine consensu abbatis; sin minus, frangendum est. Abbas si habuerit monachum, quem elegit congregatio, ut ordinet eum in gradu presbyterii, non debet dimittere priorem conversationem suam. Si autem postea inventus fuerit ut superbus, vel otiosus, et in meliori gradu priorem vitam quærat, deponatur, et in ultimum locum constitutus satisfactione emendet. In potestate et libertate monasterii est susceptio infirmorum in monasterio. In libertate quoque monasterii est lavandi pedes laicorum; nisi in cœna Domini non coguntur. Nec libertas monasterii est pœnitentiam secularibus iudicare, quia proprie clericorum est.

DE COMMUNIONE SCOTTORUM VEL BRITTONUM, QUI IN PASCHA ET TONSURA CATHOLICÆ NON SUNT ADUNATI ECCLESIÆ.

Qui ordinati sunt Scottorum vel Brittonum episcopi, qui in Pascha vel tonsura catholicæ non sunt adunati ecclesiæ, iterum a catholico episcopo manus impositione confirmentur. Licentiam quoque non habemus eis poscentibus chrisma vel eucha-

^{1&#}x27; Si mutare vult ecclesiæ terram, cum consensu amborum sit. Si quis vult monasterium suum in alio loco ponere, cum consilio episcopi et fratrum suorum faciat, Q.

ristiam dare, nisi ante confessi fuerint velle nobiscum esse in unitate ecclesiæ. Et qui ex eorum similiter gente, vel quicumque de baptismo suo dubitaverit, baptizetur.

DE VEXATIS A DIABOLO, ET DE IIS QUI SE OCCIDUNT.

Si homo vexatus est a diabolo, et nescit aliquid, nisi ubique discurrere, et occidit semetipsum quacumque causa, prodest ut oretur pro eo, si ante religiosus erat. Si pro desperatione, aut pro timore aliquo, aut pro causis ignotis, Deo relinquamus hoc judicium, et non ausi sumus orare pro illo. Qui se occiderit propria voluntate, missas pro eo facere non licet, sed tantum orare et eleemosynas largiri. Si quis subita tentatione mente sua exciderit, vel per insaniam seipsum occiderit, quidam pro eo missas faciunt.

DE DIVERSIS QUÆSTIONIBUS.

Oratio potest sub velamine esse, cum necessitas cogit. Mulieres possunt sub nigro velamine accipere sanitatem. Demonium sustinenti licet petras vel holera habere sine incantatione. Infans pro infante potest dari Deo ad monasterium, quamvis alium vovisset; tamen melius est votum implere: similiter pecora æquali pretio possunt mutari, si necesse sit. Rex si alterius regis terram habet, potest donare pro anima sua. Inventio in via tollenda est; si inventus fuerit possessor, reddatur ei. Tributum ecclesiæ sit sicut est consuetudo provinciæ, id est, ne tantum pauperes in decimis, aut in aliquibus rebus vim patiantur. Decimas non est legitimum dare, nisi pauperibus et peregrinis. Pro reverentia regenerationis, in albis Pentecostes orandum est; in Quinquagesima oratur. Qui pro homine mortuo jejunat, seipsum adjuvat. De mortuo autem Dei solius est notitia.

Jejunia legitima tria sunt in anno; * * * * præterea quadraginta ante Natale Domini, et post Pentecosten quadraginta dies. De promissione sua laici non debent facere moram, quia mors non tardat. Servo Dei nullatenus licet pugnare, multorum licet sit consilio servorum Dei.

Pecunia æcclesiastica furata sive rapta reddatur quadruplum, popularia dupliciter.

EX * CAPITULIS THEODORI.

PŒNITENTIA ILLIUS ANNI UNIUS, QUI IN PANE ET AQUA JEJUNANDUS EST, ISTO ORDINE OBSEŖVARI DEBET.

Antiquus liber pœnitent. Andegavensis. cap. de remedio pœnitentis.

Pœnitentia illius anni unius, qui in pane et aqua jejunandus est, talis esse debet in unaquaque hebdomada. Tres dies, id est feriam quintam et sabbatum, a vino, medone, mellita et cervisia, a carne et sagimine, a caseo et ovis, et ab omni pingui Manducet autem minutos pisciculos, si pisce se abstineat. habere potest. Si habere non potest, tantum unius generis piscem, et legumina, et olera, et poma, si vult, comedat, et cervisiam bibat: et in diebus Dominicis, et in Natali Domini illos quatuor dies; et in Epiphania unum diem; et in Pascha, usque ad octavum diem; et in Ascensione Domini, et Pentecostes quatuor dies; et in festo Sancti Johannis Baptistæ, et Santæ Mariæ, et sanctorum duodecim Apostolorum, et Sancti Michaelis, et Sancti Remigii, et Omnium Sanctorum, et Sancti Martini, et in illius Sancti festivitate, qui in illo episcopatu celebris habetur. In his supradictis diebus faciat charitatem cum ceteris Christianis, id est, utatur eodem cibo et potu quo illi, sed tamen ebrietatem, et ventris ingluviem semper in omnibus caveat.

Concilium Triburiense, sub Formoso Papa, c. 56, 57, 58.

Iste annus secundus est ab illo anno qui pane et aqua jejunandus est: et post illum jejunandus est, qui etiam dandus est illis, qui viros ecclesiasticos occidunt, et in consuetudine habent sodomiticum scelus, et qui in consuetudine habent contra naturam peccare, et in ecclesiis homicidia sponte committunt, et ecclesias incendunt, et in ecclesiis adulteria committunt, et qui alia hujusmodi perpetrarunt.

Pœnitentia istius anni talis esse debet, ut duos dies, id est secundam feriam et quartam in unaquaque hebdomada, jejunet ad vesperam, et tunc reficiatur sicco cibo, id est, de pane et leguminibus siccis sed coctis, aut pomis, aut oleribus crudis; unum eligat ex his tribus, et utatur, et cervisiam bibat sed sobrie. Et tertium diem, id est, sextam feriam, in pane et aqua observet, et tres quadragesimas jejunet ante Natale Domini unam, secundam ante Pascha, tertiam ante missam

^a Ex antiquo Ms. optime descripto, Jacobo Petit a Nicolao Favier, advocato in senatu Parisiensi, communicato.

Sancti Joannis. Et in his tribus quadragesimis jejunet duos dies ad nonam in hebdomada, et de sicco cibo comedat, ut supra notatum est. Et sextam feriam jejunet in pane et aqua. et in Dominicis diebus, et in Natali Domini, et in Pentecoste quatuor illos dies; et in Epiphania unum diem, et in Pascha usque ad septimum diem, et in Ascensione Domini, et in missa Sancti Joannis Baptistæ, et reliqua ut supra.

DE ILLIS QUI JEJUNARE NON POSSUNT, ET AD-IMPLERE QUOD IN PŒNITENTIALI SCRIPTUM EST.

Qui jejunare potest, et implere quod in Pænitentiali scriptum Bedæ canones est, bonum est, et Deo gratias referat. Qui autem non potest, ei per misericordiam Dei consilium damus tale, ut nec sibi, nec alicui necesse sit desperare vel perire.

ad remedia peccatorum, cap. 14. de diversis causis. Regino. L 2.

DE REDEMPTIONE ILLIUS ANNI, QUEM IN PANE ET AQUA JEJUNARE DEBET.

Primo die, quem in pane et aqua jejunare debet, quinquaginta psalmos in ecclesia, si fieri potest, decantet flexis genibus; sin autem, in loco convenienti eadem faciat, et unum pauperem pascat, et eo die, excepto vino carne et sagimine, sumat quicquid velit. Si autem talis est, qui tamdiu in genibus jacere non possit, faciat autem sic in ecclesia, si fieri possit; sic autem, in uno loco stando, intente septuaginta psalmos per ordinem decantet, et pauperem pascat, et eo die, excepto vino carne et sagimine, sumat quicquid velit. Qui in ecclesia genua centies flexerit, id est, si centies veniam petierit, si fieri potest, in ecclesia fiat: hoc justissimum est. Si autem fieri non potest, secrete in loco convenienti hoc faciat. Si sic fecerit, eo die, excepto vino et carne et sagimine, sumat quod placet. Qui psalmos non novit, unum diem, quem in pane et aqua pœnitere debet, dives denariis tribus, pauper uno denario redimat; et eo die, excepto vino carne et sagimine, sumat quod placet. modo, quidam dicunt viginti palmatas valere pro uno die.

DE REDEMPTIONE UNIUS HEBDOMADÆ, QUAM IN PANE ET AQUA JEJUNARE DEBET.

Pro una hebdomada, quam in pane et aqua jejunare debet, Regino. 1. 2. trecentos psalmos genibus flexis in ecclesia decantet. Si autem c. 440.

Burch. 1. 9. hoc facere not potest, tria psalteria in ecclesia, vel in loco con- c. 18.

venienti, intente decantet; et postquam psallerit, excepto vino carne et sagimine, sumat quidquid velit.

Regino. 1, 2. c. 339. Burch. 1.19. c. 19. Pro uno mense, quem in pane et aqua pœnitere debet, psalmos mille ducentos, flexis genibus, decantet; et omni die, si velit, et si abstinere non vult, reficiat se ad sextam horam, nisi [feria] quarta; sexta jejunet ad nonam; et a carne, et sagimine, et vino, totum mensem se abstineat. Alium autem cibum, postquam psalmos supradictos cantaverit, sumat. Isto ordine totus ille annus redimendus est.

DE ILLIS, QUI JEJUNARE NON POSSUNT, ET NESCIUNT QUOMODO PŒNITENTIAM UNIUS ANNI, QUEM JEJUNARE DEBENT IN PANE ET AQUA, REDIMERE POSSINT.

Regino. 1. 2, c. 441. Burch. l. 19. c. 20. Qui vero psalmos non novit, et jejunare non potest, pro uno anno, quem in pane et aqua jejunare debet, det pauperibus in eleemosynam viginti duos solidos, et omnes sextas ferias jejunet in pane et aqua, et tres quadragesimas, id est, quadraginta dies ante Pascha, quadraginta dies ante festivitatem Sancti Johannis Baptistæ, (et si ante festivitatem aliquid remanserit, postea adimpleat), et quadraginta dies ante Natale Domini. In istis tribus quadragesimis, quidquid ori suo præparatur in cibo, vel in potu, vel cujuscumque generis sit, illud æstimet quanti pretii sit, vel esse possit; et medietatem illius pretii distribuat in eleemosynam pauperibus, et assidue oret, et roget Dominum, ut oratio ejus, et eleemosynæ ejus, apud Deum acceptabiles sint.

DE REDEMPTIONE UNIUS ANNI, QUEM PŒNITERE DEBET IN PANE ET AQUA.

Poenit. Rom. tit. 9. c. 28. Burch. 1.19. c. 21. Ivo, p. 15. c. 201. ex Theodoro.

Item. Qui jejunare non potest, et observare quod in Pœnitentiali scriptum est, faciat hoc quod Sanctus Bonifacius Papa constituit pro uno die, quem in pane et aqua pœnitere debet. Roget presbyterum, ut missam cantet pro eo, nisi sint crimina capitalia, quæ confessa prius lavari cum lacrymis debent. Et tunc ipse adsit, et audiat, et devote ipse offerat propriis manibus panem et vinum manibus sacerdotis, et intente respondeat, quantum sapit, ad salutationes et exhortationes sacerdotis, et humiliter Dominum deprecetur, ut oblatio, quam ipse et presbyter, pro se et pro peccatis suis, Deo obtulerat, Deus Omnipotens misericorditer per angelum suum suscipere

dignetur; et eo die, excepto vino carne et sagimine, comedat quicquid vult; et sic redimat reliquos dies anni.

DE IIS QUI JEJUNARE NON POSSUNT, ET HABENT UNDE REDIMERE POSSINT.

Si quis forte non potest jejunare, et habuerit unde redimere Pomit. Rome. possit, si dives fuerit, pro septem hebdomadibus det solidos tit. 9. c. 29.
Halitgar. Regiviginti. Si non habuerit unde tantum dare possit, det decem Si autem multum pauper fuerit, det solidos tres. solidos. Neminem conturbet, quod jussimus dare solidos viginti, aut Ivo, p. 15. minus, quia facilius est illi, si dives fuerit, dare solidos viginti, quam pauperi tres. Sed attendat unusquisque cui dare debeat, sive pro redemptione captivorum, sive super sanctum altare, seu Dei servis aut pauperibus in eleemosynam.

no. l. 2. c. 498. Burch. l. 19.

DE IIS QUI NON POSSUNT ADIMPLERE QUOD IN PŒNITENTIALI SCRIPTUM EST.

Qui non possunt sic agere pœnitentiam ut superius diximus, Pœnit Rom. faciat sic : Si tres annos continuos jejunare debet, et jejunare Regino. 1 2. non potest, sic redimere potest; primo anno eroget solidos sex add.? viginti in eleemosynam, secundo anno eroget solidos viginti. et tertio anno octodecim solidos, hoc est, solidos sexaginta Ivo, p. 15. Potentes autem homines plus dare debent, quia cui plus committitur, plus ab eo exigetur. Qui illicita committunt, etiam a licitis abstinere debent, et corpus debent affligere jejuniis, vigiliis, et crebris orationibus; caro enim læta trahit ad culpam, afflicta autem reducit ad veniam.

tit. 9. c. 30. Burch. l. 19.

DE IIS QUI JEJUNARE NON POSSUNT, NEC HABENT UNDE REDIMERE POSSINT.

Qui jejunare non potest, et non habet unde redimat, et psalmos novit, pro uno die quem in pane et aqua jejunare debet, tribus vicibus 'Beati immaculati' usque ad 'Dominum contribularer' decantet, et sexties 'Miserere mei Deus,' et septuagies prosternat se in terram, et per singulas genuflexiones 'Pater noster' decantet. Qui autem psalmos nescit, pro ano die, quem in pane et aqua jejunare debet, centies prosternat se in terram, et per singulas genuflexiones 'Pater noster' decantet.

DE REDEMPTIONE SEPTEM ANNORUM.

Item alio modo. Duodecim triduanæ, singulæ cum psalteriis tribus impletis, et cum palmatis trecentis per singula psalteria, excusant unius anni pœnitentiam. Et viginti quatuor biduanæ, similiter cum psalteriis impletis, et cum palmatis trecentis per singula psalteria, excusant duos annos. Septuaginta quinque psalmi, cum palmatis trecentis, excusant biduanam. Centum psalmi, cum palmatis trecentis, excusant triduanam. Centum viginti missæ speciales, singulæ cum tribus psalteriis, et cum trecentis palmatis, excusant annum. Centum solidi dati in eleemosynam annum excusant.

Ista a nullo antiquo auctore ecclesiastico citantur ex

DE PŒNITENTIBUS.

Regino. l. 1. c. 291. ex Conc. Agathensi. Burch. l. 19. c. 36.

Ut in Capite Jejunii omnes publice pœnitentes in civitate veniant ante fores ecclesiæ, nudis pedibus, et, cilicio induti, episcopo suo se repræsentent. In Capite Quadragesimæ omnes pænitentes, qui publicam suscipiunt aut susceperunt pænitentiam, ante fores ecclesiæ se repræsentent episcopo sacco induti, vultibus in terram prostratis, reos se esse ipso habitu et vultu proclamantes. Ibi adesse debent archipresbyteri parochiarum, id est, presbyteri pœnitentium, qui eorum conversationem diligenter inspicere debent, et, secundum modum culpæ, pœnitentiam per præfixos gradus injungant. Post hæc in ecclesiam eos introducat, et cum omni clero septem pœnitentiales psalmos, in terram prostratus, cum lachrymis, pro eorum absolutione decantet: tunc resurgens ab oratione, juxta quod canones jubent, manus eis imponat, aquam benedictam super eos spargat, cinerem prius mittat; deinde cilicio capita eorum cooperiat, et cum gemitu, et crebris suspiriis eis denunciet, quod sicut Adam projectus est de Paradiso, ita et ipsi pro peccatis ab ecclesia abjiciuntur. Post hæc jubeat ministris, ut eos extra januam ecclesiæ expellant; clerus vero prosequitur eos cum responsorio, 'In sudore vultus tui,' etc.; ut videntes sanctam ecclesiam pro facinoribus suis tremefactam atque commotam, non parvipendant pænitentiam. In sacra autem Domini cœna, rursus ab eorum presbyteris ecclesiæ luminibus repræsententur.

UT NULLUS EPISCOPUS, VEL PRESBYTER ALTERIUS PŒNITENTEM, SINE LITERIS SUI EPISCOPI, SUSCIPIAT.

Curandum est vero maxime, et omni cautela providendum,

ne quis fratrum coepiscorumque nostrorum, aut etiam presbyterorum in alterius civitate vel diœcesi pœnitentem, vel sub manu positum sacerdotis, aut eum qui reconciliatum se dixerit esse, sine episcopi vel presbyteri testimonio et literis, ad cujus pertinet parcechia, suscipiat.

DE ILLIS QUI DIU RETICENT PECCATA SUA.

Sciendum vero est, quantum quis opere moratur in peccatis, Regino. 1. 2. tanto magis agenda est pœnitentia.

c. 136. Burch. 1. 9. . c. 68.

DE ILLIS QUI SIBI IPSIS MORTEM INFERUNT.

Quicunque se propria voluntate, aut in aqua jactaverit, Conc. Brachar. aut collum ligaverit, aut de arbore præcipitaverit, aut ferro Burch. 1.19. percusserit, aut cuilibet voluntariæ se morti tradiderit, istius c. 130. oblatio_non recipiatur.

DE ILLIS FEMINIS QUÆ ANTE MUNDUM SANGUINEM ECCLESIAM INTRANT, ET QUÆ NUPSERINT HIS DIEBUS.

Mulier quæ intrat ecclesiam ante mundum sanguinem post partum; si masculum genuerit, triginta tres dies; si feminam, quinquaginta sex. Si quæ autem præsumpserit ante tempus præfinitum ecclesiam intrare, tot dies in pane et aqua pæniteat, quot ecclesia carere debuerat. Qui autem concubuerit cum ea ex his diebus, decem dies in pane et aqua pœniteat.

DE ILLIS QUI LIBIDINOSE OBTRECTAVERINT PUELLAM, AUT MULIEREM.

Si quis obtrectaverit puellæ aut mulieris pectus vel turpitu- Regino. l. 2. dinem earum; si clericus est, quinque dies; si laicus, tres dies c. 251.
Burch. l. 17. pœniteat. Monachus, vel sacerdos a ministerio divino suspensi, si quid tale fecerint, viginti dies pœniteant. Scriptum est enim: 'Neque tetigeris, neque obtrectaveris turpitudinem feminarum.

DE ILLIS QUI CUM MULIERIBUS IN BALNEO SE LAVERINT.

Si quis in balneo se lavare præsumpserit cum mulieribus, tres dies pæniteat, et ulterius non præsumat.

Poenit. Rom. tit. 3. c. 28. Burch. l. 16c. 138. Ivo, p. 15. c. 148.

72 CAPITULA ET FRAGMENTA THEODORI.

DE TEMPORIBUS QUIBUS SE CONTINERE DEBENT CONJUGATI.

Regino. l. 1. c. 328. ex Conc. Helib. Burch. l. 19. c. 55. In tribus quadragesimis anni, et in die Dominico, et quarta feria, et sexta, conjugati se continere debent; nec illis diebus copulari, quamdiu gravata fuerit uxor, id est, a quo die filius in utero motum fecerit, usque ad partum; a partu post triginta dies, si filius; si autem filia, post quinquaginta sex.

DE ILLIS QUI PARENTUM HONOREM NON SERVANT.

Poenit. Rom. tit. 4. c. 11, 12. Si quis inhonoraverit patrem aut matrem, tres annos pœniteat. Quod si manum levaverit, aut ei percussionem intulerit, septem annos pœniteat.

DE ILLIS QUI DIE DOMINICO NUPSERINT.

Conc. ap. Theodonis villam can. 4. Si quis die Dominico nupserit, petat a Domino indulgentiam, et quatuor dies pœniteat.

DE ILLO QUI PRESBYTERUM OCCIDERIT.

Conc. Mogunt. sub Rhab. c. 24. Regino. 1. 20. c. 43. Burch. 1. 7. c. 7.

Qui presbyterum occiderit, duodecim annorum ei pænitentia, secundum canones, imponatur, etiamsi negaverit. Si liber est, ¹septuaginta dies jejunet; si autem servus, super duodecim vomeres ferventes se expurget. Convictus noxa, ad ultimum vitæ tempus careat cingulo militiæ, et ²absque spe conjugii.'

DE EODEM.

Cone. Wormac.
c. 26.
Cone. Tribur.
c. 5.
Regino. l. 2.
c. 42.
Burch. l. 6. c. 8.

Qui sacerdotem voluntarie occiderit, carnem non comedat, et vinum non bibat, cunctis diebus vitæ suæ jejunet usque ad vesperam, exceptis diebus festis; atque arma non sumat, equum non ascendat: ecclesiam per quinque annos ingrediatur, nondum vero communicet, sed inter audientes. Cum autem duodecimi anni cursus finitus erit, communicandi ei licentia concedatur, et equitandi tribuatur remissio. Maneat autem in reliquis observationibus tres dies per hebdomadam, ut perfectius purgari mereatur.

¹ cum duodecim juret Hr. M.

^{2/} uxorem amittat Hr. M.

NE PRESBYTERI, SINE CONSENSU EPISCOPORUM, PER ECCLESIAS CONSTITUANTUR, VEL AB EIS RECIPI-ANTUR.

Quicunque presbyter ecclesiam per pretium adeptus fuerit, Conc. Turon. 3. omnino deponatur; quum eam contra ecclesiasticæ regulæ disciplinam habere dignoscitur. Qui autem presbyterum legitime ad ecclesiam ordinatum per pecuniam expulerit, eamque sibi totaliter vendicaverit; quod vitium late diffusum Regino. l. 1. summo studio emendandum est. Itemque interdicendum est clericis sive laicis, ne quis quamlibet ecclesiam presbytero dare præsumat sine licentia et consensu sui episcopi.

c. 15. Conc. Mogunt. sub Rhab. c.12. Rhab. ep. ad Herib. c. 19. c. 338.

QUOT TESTIBUS CLERICI DEVINCI DEBEANT.

Presbyter non adversus episcopum, non diaconus adversus v. Conc. Rom. presbyterum, non subdiaconus adversus diaconum, non acolytus adversus subdiaconum, non exorcista adversus acolytum, non lector adversus exorcistam, non ostiarius adversus lectorem det accusationem aliquam. Et non condemnabitur præsul, nisi in triginta duo, neque summus judicabitur a quoquam; quoniam scriptum est: 'Non est discipulus super magistrum.' Presbyter autem in cardine constitutus, nisi in quadraginta et quatuor testibus damnabitur. Subdiaconus, acolytus, exorcista, lector, ostiarius, nisi, sicut scriptum est, in septem testibus non condemnabitur. Testes autem sine aliqua sint infamia, uxores et filios habentes, et omnino Christum prædicantes.

vulgo dictum 11. sub Silvest. c. 3.

DE FUGITIVIS CLERICIS.

Ut unusquisque episcopus in sua parœchia diligenter Ex decret. Leopresbyteros vel clericos inquirat, quinam sint. Et si aliquem fugitivum invenerit, ad suum episcopum redire faciat.

nis I. c. 39. Regino. L 1. c. 421.

DE HIS QUI SUSPENDUNTUR IN PATIBULO.

Quæsitum est ab aliquibus fratribus, de his qui in patibulo Conc. Mogunt. suspenduntur pro suis sceleribus, post confessionem Deo peractam, utrum cadavera illorum ad ecclesiam deferenda sint, et oblationes pro eis offerendæ, et missæ celebrandæ, an non? Quibus respondemus: Si omnibus de peccatis suis puram confessionem agentibus, et digne pænitentibus, communio in fine, secundum canonicum jussum, danda est, cur non eis qui, pro peccatis suis, pœnam extremam persolvunt et confitentur, vel

sub Rhab.c. 27. Regino. l. 2. c. 93. Burch. L 11. c. 76.

74 CAPITULA ET FRAGMENTA THEODORI.

confiteri desiderant? Scriptum est enim: 'Non judicabit Dominus bis in idipsum.' Nam ipse Dominus ait: 'In quacunque die conversus fuerit peccator, peccata ejus non reputabuntur ei.' Et iterum: 'Nolo mortem peccatoris, sed ut convertatur et vivat.' Salutem ergo homini adimit, quisquis mortis tempore ei poenitentiam denegavit.

DE FURIBUS ET RAPTORIBUS.

Conc. Tribur.
c. 31.
Regino. l. 1.
c. 94.
Burch. l. 11.
c. 59.

De furibus et raptoribus placet ut, si in ipsa præda occiduntur, pro eis minime orandum sit. Si vulnerati in desperationem prolapsi fuerint, et de pravitatibus suis se pœnituerint, et si supervixerint, Deo et sacerdoti se emendaturos repromiserint, communionem eis impendere non negamus.

DE HOMICIDIIS NON SPONTE COMMISSIS.

Poenit. Rom. tit. 1. c. 1. Conc. Tribur. c. 53. De homicidiis non sponte commissis, quali pœnitentiæ submittantur ii qui fecerunt, in episcopi sententia maneat: postquam viderit illorum dignam pœnitentiam, clementius erga illos agat. Si quis filium suum non sponte occidit, juxta homicidia non sponte commissa pœniteat.

DE CONTINENTIA SACERDOTIS.

Can. Ap. c. 34. Basil. c. 3. ep. Can. ad Amphiloc. Burch. l. 17. c. 39. Episcopus, aut presbyter, aut diaconus, qui in fornicatione, aut perjurio, aut furto, lapsus est, deponatur; non tamen communione privetur; dicit enim Scriptura: 'Non vindicabit Dominus bis in idipsum.'

DE EPISCOPIS VEL CLERICIS.

Ex decretis Leon. I. c. 17. Rhab. ep. ad Herib. c. 11. Regino. l. 1. c. 96. Lex continentiæ eadem est altaris ministris quæ episcopis, aut presbyteris, qui cum essent laici, sive lectores, licite et uxores ducere, et filios procreare potuerunt: sed cum ad prædictos pervenerint gradus, cœpit eis non licere quod licuit. Unde et de carnali fit spiritale connubium. Oportet eos nec dimittere uxores, et quasi non habeant sic habere; quo salva sit charitas connubiorum, et cesset operatio nuptiarum.

DE CRIMINE PERPETRATO IN ATRIO ECCLESIÆ.

Conc. Tribur.
c. 4. 6.
Regino. l. 7.
c. 37.
Burch. l. 3.
c. 195.

Si in atrio ecclesiæ quislibet injuriaverit aliquem presbyterum, vel ibidem aliquod sacrilegium perpetraverit, altari et Domino componatur.

DE INGENUO FIDELI ACCUSATO.

Scelere si quis ingenuus fidelis notatur, liceat ei cum jura- Rhab. Poenit. mento se expurgare. Quod si quilibet ingenuus gravi infamia Aimoin, de gespublicetur, ut eum populus superjuraverit criminosum haberi, si se excusare voluerit, ferro se examinet.

tis Francorum l. 5. c. 34. Regino. L 2. Burch. L. 6. c. 7.

DE ILLO QUI EVOMIT SACRIFICIUM, ET A CANIBUS CONSUMITUR.

Qui evomuerit sacrificium, et a canibus consumitur, annum Ivo, p. 2. c. 57. unum pœniteat; sin autem, quadraginta dies pœniteat. Si in die quando communicaverit, sacrificium evomuerit, si ante mediam noctem, tres superpositiones faciat; si post mediam noctem, duas; si post matutinas unam.

DE ILLIS QUI NON BENE CUSTODIERINT CORPUS ET SANGUINEM DOMINI.

Qui non bene custodierit sacrificium, et mus vel aliquod Ivo, p. 2. c. 60. animal aliud comederit illud, quadraginta dies pœniteat. Qui autem perdiderit illud in ecclesia, aut pars ejus ceciderit, et non inventa fuerit, viginti dies pæniteat. Profundens aliquid super altare de calice, quando offertur, sex dies pœniteat; aut si abundantius, septem dies pœniteat. Qui autem perfundit calicem, dum solemnitas missæ celebratur, quadraginta dies pœniteat. Et qui acceperit sacrificium pollutus nocturno tempore, septem pœniteat. Diaconus obliviscens oblationem offerre, donec offeratur linteamen, quando recitantur nomina pausantium, similiter pœniteat. Qui negligentiam erga sacri- Gregorii III. ficium fecerit, ut vermibus consumptum ad nihilum devenerit, tres quadragesimas in pane et aqua pœniteat. inventum fuerit, in eo vermis comburatur, et cinis sub altare condatur.

UT NULLUS INJUSTAS MENSURAS, ET PONDERA INJUSTA, LUCRI CAUSA DARE PRÆSUMAT.

Ut mensuræ et pondera justa fiant, sicut in divinis legibus Capit. Aquisgr. sancitum est; ergo statuimus ab omnibus hoc observandum. Et si quis justas mensuras, et justa pondera lucri causa mutare præsumpserit, in pane et aqua viginti dies pœniteat.

Conc. Arelat. VI. c. 14. Conc. Turon. III. c. 41.

76 CAPITULA ET FRAGMENTA THEODORL

DE MATRE QUÆ INFANTEM SUUM JUXTA IGNEM POSUERIT, ET SUA NEGLIGENTIA MORTUUS EST.

Conc. Tribur. temp. Formosi Papæ, c. 37. Mater, si juxta focum infantem suum posuerit, et homo aquam in caldarium miserit, et ebullita aqua infans superfusus mortuus fuerit; pro negligentia mater pœniteat, et ille homo securus sit.

DE VIRIS ORDINATIS, QUORUM PECCATA OCCULTA SUNT.

Poenit. Rhab. c. 1. Isid. Hisp. ep. ad Massonem episc. De viris ordinatis, quorum peccata occulta nec manifeste ab aliquo argui possunt, si salubriter compuncti pro peccatis, confessionem episcopo sive presbytero occulte faciunt, bonum mihi videtur, ut secundum id quod decretum fuerit ab episcopo vel presbytero, pœnitentiam agant, non tepide nec tarde, sed ferventer et sollicite; ac sic se veniam peccatorum a Domino percepturos, et gradum se retenturos confidant.

*CAPITULA THEODORI COLLECTA EX FRAGMENTIS.

Una pœnitentia est viduæ et puellæ; majorem meruit quæ virum habet, si fornicationis crimen commiserit.

Ingenuus cum ingenua conjungi debet.

Ille qui prius manducare probatur, ad osculum non per-

Infantes monasterii quatuordecim annis carnem manducant.

Ivo, p. 2. c. 45. ex Eutychiano.

Qui acceperit sacrificium post cibum, septem diebus in judicio episcoporum.

Beda de remed. peccat. c. 15. Si laicus alterum odii meditatione occiderit, si non vult arma relinquere, pœniteat septem annis sine carne; si per iram subitam, tribus annis; si autem casu vel eventu, uno anno.

Si quis fornicaverit cum virgine, uno anno pœniteat; si cum maritata, tribus annis, unum integrum; duo alios xL. dies pœniteat.

^{*} Ex capitulis a R. D. Luca Acherio editis in Spicileg. tom. 1x.

Mulier quæ se fornicationis amore ad alteram conjunxerit, Poenit. Rom. septem annis pœniteat.

tit. 3. c. 15.

Sacrata virgo fornicans septem annos pœniteat.

Qui homicidium vel furtum commiserit, et non composuit C.M. capit. illis quibus nocuit, quando confessus fuerit episcopo vel presbytero peccata sua, debet illis aut propria reddere, vel Si vero non habuerit substantiam, unde componere potest, vel nescierit quibus nocuit, pœnitentia plus augetur.

l. 3. c. 20.

Ante Natalem Domini nostri Jesu Christi, Græci sera, et Latini nona hora missas celebrant.

Qui duxerit viduam in uxorem sibi, vel post baptismum vel Ecgb. Exc. 32. ante baptismum, non potest esse presbyter.

Non communicet vir cum uxore sua adultera. Similiter et uxor cum adultero viro non ineat pacem communicationis.

Si quis episcopus vel presbyter, fracta oblatione, non com- Can. sub. nom. municaverit, dicat rationabilem causam; sin aliud, deponatur.

Ap. 9.

Omnes fideles, qui ingrediuntur ecclesiam, ac sanctam Can. Ap. 14. oblationem non præsumunt, nec percipiunt sacrificium, cum convenit privari communione.

Conc. Antioch. c. 2. Conc. Brachar; II. c. 83.

Episcopus non exeat ad aliam parochiam, et suam relinquat; Proficiat. 5. nisi episcopus multorum judicio et maxime supplicatione perficiat.

Conc. Antioch.

Eunuchus si per insidias hominum factus est, vel si in Can. Ap. c. 21, persecutione ejus amputata sunt virilia, vel si ita factus est ^{22, 23, 24.} Conc. Nicen. natura, et est dignus, efficiatur episcopus. Si quis amputaverit sibimetipsi virilia, omnino non potest esse clericus. post gradum amputaverit virilia omnino damnetur. semetipsum absciderit, tribus annis communione privetur.

Nullus per pecuniam obtineat gradum; sin vero, et ipse et Can. Ap. 30. ordinator ejus omnibus modis a communione projiciantur.

Qui carnes immundas manducaverit, et olera quæ cum carne coquuntur, cessare oportet a ministerio.

Episcopus, presbyter, diaconus, confiteri debet peccatum Greg. III. jud.

Dæmonium sustinenti licet petras et olera habere sine Ivo, p. 11. c. 75. incantatione.

78 CAPITULA ET FRAGMENTA THEODORL

Stando orandum pro reverentia Dei.

Regino. interr. 7, et 15.

Basilius judicavit pueris licentiam nubere ante sexdecim annos, si abstinere non potuerint, quamvis monachi fuissent.

EX EXCERPTIONIBUS ECGBERTI, EBOR. ARCH.

c. lvii.

Statutum est, ut sine auctoritate vel consensu episcoporum, presbiteri, in quibuslibet æcclesiis non constituantur, nec inde expellantur; et si quis hoc facere temptaverit, sinodali sententia feriatur.

c. lxvii.

Monachi non migrent de loco ad locum, sed in ea permaneant obedientia, quam tempore suæ conversionis promiserunt.

EX PŒNITENTIALI ROMANO.

DE ILLIS QUI PRO VINDICTA PARENTUM HOMICIDIUM COMMITTUNT.

Tit. 1. c. 10.

Qui pro vindicta fratris aut aliorum parentum, hominem occiderit, ¹ita pœniteat ut homicidia sponte commissa; cum ipsa Veritas dicat: Mihi vindictam, et ego retribuam.'

DE ILLIS QUI SE SCIENTER PERJURAVERINT.

Tit. 11. c. 4.

Si quis suspicatur, quod ad perjurium ducatur, et tamen ex consensu jurat, quadraginta dies poeniteat, et septem sequentes annos, et nunquam sit sine gravi poenitentia.

DE HIS QUI FORNICATI SUNT SICUT SODOMITÆ.

Tit. nl. c. 24.

Si quis fornicatus fuerit sicut sodomitæ fecerunt, si episcopus, viginti quinque annos pœniteat, quinque ex his in pane et aqua, ex omni officio deponatur, peregrinando finiat dies vitæ suæ. Presbyter quindecim annos pœniteat, quinque ex his in pane et aqua, superiori sententia deponatur. Diaconus et

^{1&#}x27;annum unum pæniteat, et sequentibus duobus tres quadragesimas observet, et legitimas ferias, id est, secundam, quartam, et sextam feriam. Regin.

Ib. c. 29. c. xii.

monachus duodecim annos, tres in pane et aqua, et deponatur. Addit. Anselm. Si autem senex, aut æger fuerit, carceribus tenebrosis reclusus, pœniteat omnibus diebus vitæ suæ.

DE EO QUI FORNICARI VULT, ET NON POTEST.

Si quis concupiscit fornicari, et non potuerit, aut mulier non Tit. 111. c. 25. susceperit eum; si episcopus, septem annos pœniteat; presbyter quinque; diaconus vel monachus tres; ex his unum in pane et aqua; clerici vel laici duos annos pœniteant.

QUALITER PŒNITERE DEBEAT QUÆ LENOCINIUM OPERATUR.

Exercuisti lenocinium, aut in teipsa, aut in aliis; ita dico, ut tuo meretricio more tuis amatoribus corpus tuum ad tractandum, et ad sordidandum, pro pretio tradidisti; seu, quod crudelius aut periculosius, alienum corpus, filiæ dico, vel neptis, et alicujus Christianæ amatoribus vendidisti, vel concessisti, vel internuncia fuisti, vel consiliata es, ut stuprum aliquod tali modo perpetraretur, duos annos pœniteas per legitimas ferias. Tamen in concilio Elibertano præcipitur, ut illa quæ hæc perpetraverit, nisi in fine accipiat communionem.

QUOD UT SACRILEGUS JUDICANDUS EST, QUI PATREM VEL MATREM EXPULERIT.

Si quis patrem vel matrem expulerit, impius et sacrilegus Tit. III. c. 11. judicandus est: pœniteat autem æquali tempore, quamdiu in impietate illa extiterit.

DE EADEM RE.

Maledixisti patri vel matri tuæ, vel flagellasti eos, vel in Ib. c. 12. aliquo dehonestasti, quadraginta dies in pane et aqua, cum septem sequentibus annis pœniteas; quia Dominus dixit: 'Qui maledixerit patri suo vel matri, morte moriatur.'

DE CRAPULA ET EBRIETATE.

Sacerdos quislibet si inebriatur per ignorantiam, septem Tit.v. c. s. dies pœniteat in pane et aqua; si per negligentiam, quindecim dies; si per contemptum, quadraginta dies. Diaconus, vel monachus, secundum ordinem, ut scriptum est, seu ut reliqui clerici ut ministri, juxta ordinem, judicio sacerdotis pœniteant. Laici velut vota non habentes, si inebriantur, arguantur a

80 CAPITULA ET FRAGMENTA THEODORI.

sacerdote, quod ebriosi regnum Dei non possidebunt, et interitus sit ebrietas, et compellat eos pœnitere. Qui cogit hominem ut inebrietur, humanitatis gratia, accerrime corripiatur, et septem dies pœniteat; Si per contemptum, triginta dies. Nullus Christianus alium plus libere cogat quam naturæ sufficiat; quod si fecerit, juxta id quod in Pœnitentiali habetur pœniteat.

DE ILLIS QUI CHRISTIANA MANCIPIA CAPTI-VAVERINT.

Til.vu. c. so. Si quis quemcunque hominem quolibet ingenio captivaverit, aut transmiserit, tres annos pœniteat.

DE ADMINISTRATIONE XENODOCHII.

Ib. c. 31. Si quis xenodochia pauperum administrat, vel decimas populi susceperit, et exinde vel suis secularibus lucris sectandum aliquid subtraxerit; quasi rerum invasor reus damnum restituat, et subcanonico judicio reformetur, et agat pœnitentiam tres annos. Scriptum est enim: 'Talem Dominus dispensatorem quærit, qui sibi de suis nihil usurpet.'

NUBENTES POST VOTUM NON SUNT AB INVICEM SEPARANDI.

Tit. viii. c.11. Si vir 1 votum virginitatis habens adjungitur uxori, postea non dimittat uxorem, sed tribus annis pœniteat.

EX PŒNITENTIALI HRABANI MAURI.

DE PŒNITENTIIS LAICORUM.

Lib. 111. c. 6.	Qui occiderit hominem in publico bello, quadraginta diebus
* L casu.	pœniteat; si per iram, tres annos; si *causa, uno anno; si
•	per *populum, vel per artem aliquam, septem annos aut plus; si per rixam, decem annos pœniteat.
	si per rixam, decem annos poenticat.

1 simplex votum ap. G	rat.
-----------------------	------

EX *DUOBUS LIBRIS REGINONIS DE ECCLE-SIASTICIS DISCIPLINIS.

DE TEMPORIBUS QUIBUS SE CONTINERE DEBENT CONJUGATI AB UXORIBUS.

Uxoratus contineat se quadraginta dies ante Pascha et Lib. L. c. 329. Pentecosten, seu ante Natale Domini, et omnem Dominicam noctem, et quartam et sextam feriam, et a conceptione manifestata, usque post natam sobolem. Uxor, post natam sobolem, abstineat se ab ecclesia; si filius est, dies triginta; si filia, dies quadraginta.

QUOD ANTE COMMUNIONEM ABSTINERE DEBET A CONJUGE.

Omnis homo, ante sacram communionem, a propria uxore Ib. c. 331. abstinere debet vii. aut v. aut iii. dies.

QUI PER FAIDAM HOMINEM OCCIDERIT.

Qui per iram et rixam et ebrietatem subito hominem Lib. n. c. 24. occiderit, quatuor annos pæniteat.

DE EADEM RE.

Si quis liber, jubente domino suo, servum occiderit, qua-Ib. c. 25. draginta dies pœniteat. Et si quis liber, jubente domino suo, hominem innocentem occiderit, annum unum pœniteat, et in duobus aliis annis, tres quadragesimas observet, et legitimas ferias.

SI ALIQUIS ORDINATUS HOMICIDIUM FECERIT.

Si quis episcopus aut aliquis ordinatus homicidium fecerit, Ib. c. 46. decem annos pœniteat, tres ex his in pane et aqua.

SI QUIS CONSANGUINEUM SUUM OCCIDERIT, AUT SENIOREM.

Si quis proximum et consanguineum suum occiderit, decem Ib. c. 48. Similiter, si quis seniorem et dominum suum annos pœniteat. dolo trucidaverit.

^{*} A Stephano Baluzio ad fidem vetustissimi codicis emendatis. VOL. II.

82 CAPITULA ET FRAGMENTA THEODORI.

DE CLERICO QUI PROXIMUM SUUM OCCIDIT.

Lib. n. c. 52. Si clericus homicidium fecerit, et proximum suum occiderit, odii meditatione, exul septem annos pæniteat.

DE PARRICIDIS.

Ib. c. 53. Si quis hoc crimen perpetraverit, quidam judicaverunt ut septem annis pœniteat, vel quatuordecim pœnitentiam egisset; quidam usque ad finem vitæ, sicut Cain, qui similia perpetraverit.

DE FEMINA CUJUS FILIUS PER NEGLIGENTIAM OBIERIT NON BAPTIZATUS.

Ib. c. 62. Pariens femina, cujus filius per negligentiam non baptizatus obierit, annum unum pœniteat, et nunquam sit sine aliqua pœnitentia.

QUID SI UNUS ABSOLUTUS ET ALTER COPULATUS ADULTERATI FUERINT.

Ib. c. 134. Si quis vacans uxore polluit se cum alterius uxore, annis duobus pœniteat. Similiter de feminis observandum.

SI UXORATUS ANCILLAM PROPRIAM TENUERIT.

Ib. c. 135. Si uxoratus ancillam propriam tenuerit, annum unum pœniteat, vel in alio anno tres quadragesimas et legitimas ferias; et tribus mensibus prius se a sua contineat conjuge.

Ancilla vero si vim passa est, quadraginta dies; si consentiens fuerit, tres in anno quadragesimas et legitimas ferias pœniteat.

DE FORNICATIONE DIVERSARUM PERSONARUM.

Ib. c. 246. § 1. Si uxoratus cum virgine fornicatus fuerit, duos annos pœniteat, ita primum omnium, ut a sua se contineat. Si ei consenserit, uxori etiam addatur modus pœnitentiæ. § 2. Laicus maculans se cum ancilla Dei, duos annos pœniteat. Si genuerit ex ea filium, annos tres pœniteat. Si sine conjugio est, tres quadragesimas et legitimas ferias. § 3. Si canonici sunt et fornicantur, annum unum; si frequenter, duos. Qui in gradu est, tres annos pœniteat. § 4. Monachus sine gradu, vel canonicus gradum habens, si cum puella laica fornicati sunt, annos tres pœniteant. Si cum sanctimoniali,

annos septem pœniteant. § 5. Monachi cum gradu fornicationem facientes, septem annos pœniteant. § 6. Si monachus laicam duxerit, tres annos pœniteat, illa duos et legitimas Si usque ad generationem filii, quatuor annos pœniteat. Si occiderit, septem annos pœniteat. § 7. Si episcopus fornicatus fuerit, octo annos pœniteat. Alii judicaverunt duodecim annorum pœnitentiam. Post annum tertium levius pœniteat. § 8. Presbyter cum puella fornicans, annos quatuor et tres quadragesimas in anno, et ferias quartam et sextam in pane et aqua. Si cum ancilla Dei fornicatus fuerit, septem annos pœniteat.

DE INCESTIS.

§ 1. Si adolescens sororem suam duxerit, quinque annos Lib. 11. c. 247. Si matrem, septem annos; et quamdiu vixerit, nunquam sit sine pœnitentia. § 2. Qui habet matrem et filiam, duas sorores, uxorem patris et fratris, patruelis aut avunculi, neptem aut consobrinam, aut qui in prima, secunda, vel tertia generatione juncti sunt, istis volumus indicare ut separentur; et, propter novellam plantationem ecclesiæ, ut septem annos agant poenitentiam, tres primos annos tres dies in hebdomada, id est, feria secunda, et quarta, et sexta; quadraginta dies ante Pascha; viginti ante missam Sancti Johannis, viginti ante Natale Domini: quatuor vero reliquos annos, feria quarta et sexta, et quatuordecim noctes ante missam Sancti Johannis, et alias ante Natale Domini. se redimere vult, donet unum denarium, aut pretium unius denarii, pro uno die. Si pauper est, donet dimidium denarium.

DE VIRIS INTER SE FORNICANTIBUS.

Viri inter femora fornicantes, annum unum pœniteant. Si Ib. c. 249. in terga, tres annos. Si pueri sunt, duos annos pœniteant.

DE MULIERUM FORNICATIONE.

Si sanctimonialis cum alia sanctimoniali, per aliquod machi- Ib. e. 250. . namentum, fornicatur, septem annos pœniteat.

DE ILLECEBROSO AMPLEXU, &c.

Qui in somnis voluntate pollutus est, surgat et cantet septem psalmos pœnitentiales, et dies triginta. Qui peccare voluerit in somnis, et non fuerit pollutus, triginta quatuor psalmos cantet.

lb. c. 251.

84 CAPITULA ET FRAGMENTA THEODORI.

DE QUADRUPEDUM FORNICATIONE.

Lib 11. c. 253. Qui cum pecude peccat, annum unum; quidam judicant annos decem, quidam septem, quidam quatuor, quidam centum dies.

DE SODOMITIS.

Ib. c. 254. Qui fornicaverit sicut sodomitæ, quidam judicaverunt decem annos, quidam septem, alii unum; pueri centum dies. Alii judicaverunt: Si in consuetudine est, laicus annos quinque, clericus septem, subdiaconus et monachus octo, diaconus decem, presbyter duodecim, episcopus tredecim pœniteat.

DE FURTO ET RAPINA.

Ib. c. 265. Qui cupiditate captus furtum fecerit, quod abstulerit reddat, et annos quinque pœniteat.

DE PERJURIO.

Ib.c. 324 et 325. § 1. Quicunque sciens perjuraverit, septem annos pœniteat, et post hæc communionem accipiat. § 2. Si quis perjuraverit, ultra ad sacramentum non admittatur.

DE INCANTATORIBUS, MALEFICIS, ET SORTILEGIS.

S1. Qui nocturna sacrificia dæmonum celebraverint, vel incantationibus dæmones invocaverint, capite puniantur. § 2. Qui auguriis vel divinationibus inserviunt, quinque annos pœniteant. § 3. Auguria, vel sortes quæ dicuntur false Sanctorum, vel divinationes, qui eas observaverit, vel quarumcunque scripturarum, vel vota voverit vel persolverit ad arborem, vel ad lapidem, vel ad quamlibet rem excepto ad ecclesiam, omnes

tres, laici unum et dimidium pœniteant.

DE MORTICINIS.

excommunicentur. Si ad pœnitentiam venerint, clerici annos

Ib. c. 570. Qui fraudatum, raptum, vel furatum sciens manducat, si pauper est, septem dies; si potens, quadraginta dies pœniteat.

Infirmi vero, si sciunt, quindecim dies pœniteant.

DE SANGUINE.

Ib. c. 378. Si quis sanguinem alicujus animalis manducaverit, quadraginta dies pœniteat.

EX BURCHARDO.

DE ILLIS QUI IN CODICIBUS FUTURA REQUIRUNT.

In tabulis vel codicibus sorte futura non sunt requirenda; Lib. x. c. 26. et ut nullus in Psalterio, vel in Evangelio, vel in aliis rebus, sortiri præsumat, nec divinationes aliquas in aliquibus rebus observare. Quod si fecerit, quadraginta dies pæniteat.

DE ILLIS QUI IN LINGUA LASCIVI FUERINT.

Si quis lascivus in lingua fuerit, triduana pœnitentia expietur. Lib. xu. c. 5.

DE EPISCOPO QUI SECUNDUM NATURAM FORNI-CATUS FUERIT, ET DE ALIIS.

Si quis pontifex fornicationem fecerit naturalem, synodus Lib. xvII. c. 39. judicavit ut x. annos pœniteat, et multis lacrymis et eleemosynis veniam a Domino petat. Presbyter non prælato monachi voto cum puella vel meretrice peccans, annos III., et in tribus quadragesimis secundam, et quartam, et sextam feriam, et sabbato semper de sicco cibo pœniteat. Si cum ancilla Dei, aut masculo, plus addatur jejunium, id est, septem annos, si in consuetudine est. Similiter diaconi, si monachi non sunt, duos annos, sicut etiam monachi qui sine gradu sunt. diaconi monachi sunt, septem annos. Monachi cum gradu septem annos pœniteant. Item episcopus, si sine voto monachi cum puella vel meretrice peccaverit, x. annos pœniteat. Clericus cum tali puella, sine voto monachi, si fornicatus fuerit, unum annum pœniteat; si frequenter, duos annos. cum canonica, duos annos; si frequenter, tres annos; si genuerit ex ea filium, quatuor annos; alii dicunt septem. Theodorus dixit: 'Monachus fornicationem faciens, septem annos pœniteat.'

EX IVONE.

SUFFICIT ILLA CONFESSIO QUÆ PRIMUM DEO, DEINDE SACERDOTI OFFERTUR.

Quidam Deo solummodo confiteri debere peccata dicunt, ut Græci; quidam vero sacerdotibus confitenda esse percensent, ut tota fere sancta ecclesia. Quod utrumque non sine magno fructu fit intra sanctam ecclesiam; ita duntaxat, ut Deo, qui

remissor est peccatorum, peccata nostra confiteamur, et hoc perfectorum est, ut cum David dicamus: 'Delictum meum cognitum tibi feci, et injustitiam meam non abscondi. confiteor adversum me injustitiam meam, et tu remisisti impietatem peccati mei.' Sed tamen Apostoli institutio nobis sequenda est, ut confiteamur alterutrum peccata nostra, et oremus pro invicem, ut salvemur. Confessio itaque quæ soli Deo fit, quod est justorum purgat peccata: ea vero quæ sacerdoti fit, docet qualiter ipsa purgantur peccata: Deus namque, salutis et sanctitatis auctor et largitor, plerumque hanc præbet suæ pænitentiæ medicinam invisibili administratione, plerumque medicorum operatione.

*EX COLLECTIONE CANONUM.

UT NULLUS ORDINATUS DE MINISTERIIS ECCLESIÆ ALIQUID VENDERE PRÆSUMAT.

Si quis presbyter aut diaconus inventus fuerit de ministeriis ecclesiæ aliquid venundasse, quia sacrilegium commisit, placuit eum in ordinatione ecclesiæ non haberi; judicio tamen episcopi dimittendum est, sive sit dignus, sive indignus, in suo recipi gradu.

^{*} Olim in bibliotheca S. Victoris servata.

DIALOGUS ECGBERTI,

ARCHIEPISCOPI EBURACENSIS.

INCIPIT SUCCINCTUS DIALOGUS ECCLESIAS-TICÆ INSTITUTIONIS A DOMINO ECGBERTO ARCHIEPISCOPO EBURACÆ CIVITATIS COM-POSITUS.

a Prima fronte præsentis paginæ tuam venerabilem petimus Sanctitatem, ut ea, quæ sacrorum apicum attestatione, ad pontificalem providentiam a nobis directa sunt, grato animo cum caritate suscipias; caritas enim edificat, et si qua in eis acceptione videntur digna, Fraternitatis tuæ cirographo firmentur; si qua vero minus apte prolata noscuntur, tu quasi subtilissimus interpres utiliora interserere non dedigneris: et post informationem eorum, quæ ad te missa sunt verborum, Beatitudinis tuæ consilia nobis literarum caracteribus insinuare cupimus, quatenus vicissim menbranis discurrentibus unum atque id ipsum sentiamus vinculis caritatis innexi. Ut autem Fraternitas tua certius de supradictis judicare possit, proponimus utraque simul, consulta videlicet et responsa.

I. INTERROGATIO.

Si necessitas coegerit, in quantum valet juramentum episcopi, presbiteri, vel diaconi, sive monachi?

RESPONSIO.

Ordines supradicti, secundum gradus promotionis, habeant potestatem protestandi: presbiter secundum numerum cxx. tributariorum; diaconus vero juxta numerum Lx. manentium; monachus vero secundum numerum xxx. tributariorum; sed hoc in criminali causa. Cæterum si de terminis agrorum oritur altereatio, presbitero liceat juramenti sui adtestatione terram

^a Textus, qui nullum sibi titulum præfixum habet, ex мs. Z. sumitur.

videlicet unius tributarii in jus transferre æcclesiæ. Duobus quoque diaconis id ipsum conceditur. Testificatio vero trium monachorum in id ipsum sufficiat.

II. INTERROGATIO.

Presbiter, diaconus, si possint testes fieri verborum novissimorum, quæ a morientibus fiunt de rebus suis?

RESPONSIO.

Adsumat etiam secum unum vel duos, ut in ore duorum vel trium testium stet omne verbum; ne forte sub prætextu avariciæ propinqui defunctorum his contradicant, quæ ab ecclesiasticis dicuntur, solo presbitero vel diacono perhibente testimonium.

III. INTERROGATIO.

Presbiter, diaconus, sive monachus, si in nefandis accusantur facinoribus, nullo existente evidenti argumento; qua ratione, si inculpabiles sunt, possunt expiari?

RESPONSIO.

Dum constat fidele testimonium esse in ore duorum vel trium testium, nos ne forte videamus angusto judicio eum, qui sine peccato est, opprimere, [et] facta testium difficultate obruatur innocentia, liceat accusato sub regula constituto cuilibet ex his tribus gradibus, presbiteri scilicet, diaconi, vel monachi, testes producere ad purificandum se. Sat enim satis est, exinde duos vel tres, quos poterit secum educere ad defensionem sui. Cui vero desunt excusatores, vel propter terrorem accusantium, ipse solus sibi sufficiat in defensione innocentiæ suæ, quem nec visus testium nec filii procreati produnt culpabilem. Inhonestum est enim ut aut per negligentiam sacerdotum iniquitas cumuletur, aut per inopiam virium opprimatur puritas. Pro ideireo sancimus eum, cui crimen impingitur, ut ponat super caput suum crucem Domini, et testetur per Viventem in secula, cujus patibulum est crux, sese immunem esse a peccato hujusmodi. Et sic omnia dimittenda sunt judicio Dei.

IIII. INTERROGATIO.

Presbiter vel diaconus, si examinati corrupti inveniuntur, qua vigilantia pastorum præcavendum est, ne ab officio quidem

remoti in alio diocesi prætemptent ministrare, ac per hoc nonnulli scandalizentur?

RESPONSIO.

Presbiter vel diaconus, si clarescentibus culpis a proprio episcopo ¹ejectus in æcclesia alia ministrare pertemptaverit, mox ut cognitum fuerit, ab episcopo, cujus est diœcesis, expellatur; et sic per omnes sedes ecclesiarum nunquam stabilis, semper vagus et profugus versetur, donec longa afflictione humiliatus, redeat ad sustinenda jura æcclesiastica.

V. INTERROGATIO.

Quid habemus de sacris ministeriis, quæ ante dampnationem presbiter corruptus peregit, vel quæ postea dampnatus inconsulte usurpavit?

RESPONSIO.

Ministeria vero, quæ usurpato nomine sacerdotis non dicatus ignorante populo peregit, minime credimus abjicienda; nam male bona ministrando ipse sibi reus, aliis non nocuit. Scienti autem causas minime detersas, et qui tamen particeps factus est dampnati, quomodo tribuitur ei perfectio, quæ in dante non erat, quam ipse accipere potest dampnationem, utique qui per quod habuit per prava officia dedit, ut ejus particeps similem sortiatur excommunicationis sententiam. Sed hoc de baptismo accipi fas non est, quod iterari non debeat. Reliqua vero ministeria per indignum data, minus firma videntur.

VI. INTERROGATIO.

Presbiter, diaconus, sine nutu prioris sui transiliens in alia si liceat diocesi ministrare?

RESPONSIO.

Desertorem vero propriæ æcclesiæ interdictum habemus in alia ministrare; ministrantem vero taliter a suo submoveri officio, donec reconcilietur æcclesiæ suæ.

VII. INTERROGATIO.

Si quis cujuscunque dignitatis transfugam, clericum vel monachum, ausu improbo sub se habere præsumpserit; quid de his, carissimi, decernitis?

¹ xs. electus.

RESPONSIO.

Quisquis vero fratrum, contra interdicta venerabilium canonum, transfugam, clericum vel monachum, sine litteris pacificis susceperit, et conventus in hac obstinatione perduraverit, reddat quod statutum est, xxx. quidem siclos, xv. vero episcopo loci, x11. abbati, cujus monachum sine nutu prioris sui susceperat, et fugitivum dimittat, aut amplius excommunicatus periclitetur. Quicunque vero ex laicis, qui monasteriis præesse noscuntur, taliter aliquem ad se minime pertinentem susceperit, reddat debitum statutum, regi quidem x. siclos, x. vero episcopo loci, x. vero abbati, cujus domesticum sine consensu æcclesiæ susceperat, et desertorem relinquat, aut tantam adhuc reddat pecuniam, quantam et ante dedisse cognoscitur. Jam postea excommunicetur usque ad satisfactionem, quatenus obstinati quique, qui Deum minime timentes censuram excommunicationis omnino spernunt, saltem amissione rerum suarum ex parte dampnati minime præsumant statutis contraria. Hæc autem definitio maneat erga monasteria virginum, quæ sub regula esse probantur.

VIII. INTERROGATIO.

Si quis monachorum sacrilega se contagione miscuerit, vindicta quidem sceleris si pertinet ad laicos, qui sunt eorum propinqui, nunc persequamini?

RESPONSIO.

De his qui intra æcclesiam in gravibus vel in levibus commissis delinquunt, nichil vindictæ pertinet ad eos qui foris sunt; maxime cum Apostolus dicat, omnes causas æcclesiæ debere apud sacerdotes dijudicari. Si qui vero æcclesiastici crimen aliquod inter laicos perpetraverint, homicidium, vel fornicationem, vel furtum agentes, hos placuit a secularibus in quos peccaverunt omnimodo occupari; nisi animo fuerit æcclesiæ pro talibus satisfacere. Laici vero qui sacrilega se contagione miscuerint velatis, non eodem modo quo lex publica fornicarios puniri percensuit, set duplicata xxx. siclorum pecunia, hoc est, Lx. argenteos volumus dare ecclesiæ adulterantes, quia graves causæ graviores et acriores querunt curas.

IX. INTERROGATIO.

Si permittendum est presbiteris, sive peregrinis, sive nostri generis, passim ministrare absque conscientia episcopi loci, in cujus diocesi interim demorantur, maxime sub laicis, nusquam stabiles, nec loco nec auctoritate pontificali primitus fundati?

RESPONSIO.

Presbiteros peregrinos, vel absolute ordinatos, sine litteris commendaticiis, circumeuntes provincias, nusquam eos ministrare patimur, vel sacramenta tradere, absque conscientia episcopi loci. Quæ vero necessaria sunt, placuit eos administrare. Ad ministeria tamen sacrorum tales nolumus admitti, sine grandi discretione.

X. INTERROGATIO.

Si quis frater vel soror aliqua ad se pertinentia, ut estimat, non ita repetit, ut judicantibus æcclesiarum præsulibus ei pacifice restituantur, sed contempto proprio episcopo irrationabiliter rerum properat optinere ea, quæ [sibi] juste vel injuste vindicat: Quid ad hæc dicitis?

RESPONSIO.

Quicunque frater vel soror rem aliquam ad se, ut estimat, pertinentem non ita repetit, ut judicantibus æcclesiarum sacerdotibus, sed per exteras [potestates vim] faciens obtineat, etiam hoc quod violentus evicit [omnino perdat, aut ab] ecclesia expellatur. Nec tamen æcclesiæ suæ præjudicium inponimus, sed post obitum anathematizati, integris omnibus in statu suo manentibus, partibusque in medio collocatis, quid antiquitas aut veritas habeat, diligenter requiratur. Et sic dimittendum est judicio episcoporum.

XI. INTERROGATIO.

Quid ad hæc dicitis? Quoniam quidem nonnulli propria habentes monasteria, ita ea inconsulte disponunt, ut, post obitum illorum, duo simul utriusque sexus unum possideant monasterium, aut equali sorte dividant, si interesse non convenerint?

RESPONSIO.

Venerabilis congregatio unum ex duobus eligat, quem sibi præesse desiderat, et hic cum consilio episcopi loci constituatur abbas. Eo vero defuncto qui prælatus est, iste secundus qui connumeratus est ab initio heres, accipiat regimen totius monasterii, quod ante non ex toto sed ex parte sibi concessum gaudebat; si tamen dignus inveniatur, suo episcopo judicante.

Quod si aliter factum fuerit, hujusmodi votum inefficax atque irritum judicetur; sitque faciens, vel consentiens accipiensque anathema.

XII. INTERROGATIO.

Quod si quis ex laicis clericum vel monachum occiderit, utrum precium sanguinis, secundum legem natalium parentum, propinquis ejus reddendum sit, an ampliori pecunia senioribus suis satisfaciendum sit, Vestra Unanimitas sanciat?

RESPONSIO.

Quicunque vero ex laicis occiderit episcopum, presbiterum, vel diaconum, aut monachum, agat pœnitentiam secundum gradus pœnitentiæ constitutos, et reddat precium æcclesiæ suæ; pro episcopo secundum universalis consilii*, pro presbitero octingentos siclos, pro diacono sexingentos, pro monacho vero quadringentos argenteos; nisi aut dignitas natalium, vel nobilitas generis majus reposcat precium. Non enim justum est, ut servitium sanctæ professionis in meliori gradu perdat quod exterior vita sub laico habitu habuisse jure parentum dinoscitur. Cui vero non est substantia, ut redimat se a perpetrato homicidio, regi dimittendus est ad puniendum, ne interfectores servorum Dei se putent impune posse peccare. Hæc vero vindicta, quam de homicidiis presbiterorum percensuimus, maneat erga abbates, qui sunt sine ordine; nisi aliquem ex his sinodale collegium altiori consilio aut superiorem aut inferiorem judicaverit.

XIII. INTERROGATIO.

Quod si ex convenientia amborum legitimum dissolvitur conjugium, propter infirmitatem viri vel uxoris, si liceat sano incontinenti secundum inire connubium, infirmo consensum præbente, et promittente sese continentiam in perpetuo servaturum: Vestra Sanctitas quid de hoc judicat?

RESPONSIO.

Nemo contra Evangelium, nemo contra Apostolum sine vindicta facit, idcirco consensum minime præbemus adulteris; onera tamen, quæ sine periculo portari non possunt, nemini inponimus, ea vero, quæ Dei sunt mandata, confidenter indicimus. Quem autem infirmitas implendi præpedit, uno profecto multum reservamus judicio Dei. Igitur ne forte videamur silentio fovere adulteros, aut diabolus qui decipit adulteros

• placitum

de adulteris exultet, 'ulterius audi: 'Quod Deus conjunxit, homo non separet.' Et item: 'Qui potest capere, capiat.' Sepe namque temporum permutatione, necessitas legem frangit. Quid enim fecit David, quando esuriit? et tamen sine peccato est. Ergo in ambiguis non est ferenda sententia. Sed consilia necesse est periclitari pro salute aliorum, hac conditione interposita, ut ei qui se continentiæ devovit, nullo modo concedatur secundas inire nuptias, vivente priore.

XIV. INTERROGATIO.

Quid ad hæc dicimus? Si quis de laicis clericum vel monachum obnoxium esse pronunciat, pro causis aliquibus jam pridem sub laico habitu perpetratis, sed necdum finitis; sive quia minime prævaluit, sive quod ante dissimulando tacuit usque nunc, et modo ecclesiæ molestus et inportunus insistit?

RESPONSIO.

Quisquis vero secularis servitium sanctæ professionis subire desiderat, si interrogatus respondeat, conditionis servilis sese non esse obnoxium, nec homicidium palam perpetrasse inemendatum, neque res alieni juris modo sub se habere dicat; iste profecto nemini quicquam debeat, nisi Deo, cujus est servus, propter offensam peccati. Quod si fefellit æcclesiam Dei, et crimen suum dolose celaverit, placuit æcclesiam habere potestatem dimittendi eum, vel satisfacere pro eo, si voluerit. Eos vero, qui tales inveniuntur, ab æcclesiæ limine per vim volumus abstrahi, neque a die conventionis tempus æcclesiæ concedi reos deinceps ad occultandos, sed ut Deo agatur reverentia, absque ulla lesione veriusque relinquendi sunt; quod æcclesia domus propitiationis est, non spelunca latronum. Lege dedicationem templi Salomonis. Res vero si quas æcclesiæ optulerat, eas sacerdos reddat, ut habeat unde se redimat.

XV. INTERROGATIO.

Pro quibus criminibus nullus sacerdos potest fieri, vel pro quibus jampridem ordinatus deponitur?

RESPONSIO.

Hujusmodi tunc ordinatio episcopi, presbiteri, vel diaconi, rata esse dicitur: si nullo gravi facinore probatur infectus; si

¹ Ms. ultoribus.

secundam non habuit [uxorem], nec a marito relictam; si pœnitentiam publicam non gessit, nec ulla corporis parte vitiatus apparet; si servilis aut ex origine non est conditionis obnoxius; si curiæ probatur nexibus absolutus; si adsecutus est literas; hunc elegimus ad sacerdotium promoveri. his vero criminibus nullum licet ordinari, sed promotos quosque dicimus deponendos; idola scilicet adorantes; per aruspices [et divinos atque] incantatores captivos se diabolo tradentes; fidem suam falso testimonio expugnantes; homicidiis vel fornicationibus contaminatos; furta perpetrantes; sacrum veritatis nomen perjurii temeritate violantes. Eos tamen, nisi per pænitentiam publicam non oportet admitti ad promerendam communionis gratiam, non ad recuperandum pristinæ dignitatis honorem: alienum est enim ab æcclesia pœnitentes sacrosancta ministrare, qui dudum vasa fuerant vitiorum.

XVI. INTERROGATIO DE JEJUNIO QUATUOR TEMPORUM.

Legitima jejunia mensis primi, quarti, septimi, et decimi, utrum initio ipsorum mensium, an aliter celebranda sint; et quo auctore, aut quomodo, vel pro quibus causis instituta, consona sententia exponite; ut uniformiter ab omnibus cælebrentur per universas Dilectionis Vestræ sedes et Anglorum æcclesias.

RESPONSIO.

Quia igitur mundus quatuor plagis continetur, orientis, occidentis, meridiei, et aquilonis; et homo quatuor elementis constat, id est, igne, aere, aqua, et terra; et interior sensus ex quatuor continetur virtutibus, prudentia, temperantia, fortitudine, atque justitia; et quatuor flumina paradisi ad inrigandam universam terram, in typo quatuor Evangeliorum profluunt; et quatuor temporibus annus, vere, estate, autumno, et hieme convertitur; et ex omni parte quadratus numerus perfectus dinoscitur; idcirco autem quatuor temporum jejunia veteres patres instituerunt, secundum Dei legem, et nunc in Novo Testamento, sancti viri atque apostolici doctores.

DE PRIMO JEJUNIO.

De primo mense Dominus ait ad Moysen: 'Mensis iste vobis principium mensium, primus erit in mensibus anni.' Et iterum Dominus ad Moysen: 'Observate mensem novarum frugum, quando egressi estis de terra Ægypti, legitimum erit

in generationibus vestris.' Quod jejunium sancti patres in prima epdomada mensis primi statuerunt, quarta et sexta feria, et sabbato, exceptis diebus quadragesimalibus. Nos autem in æcclesia Anglorum idem primi mensis jejunium, ut noster didascalus beatus Gregorius, in suo Antiphonario et Missali Libro, per pedagogum nostrum beatum Augustinum transmisit ordinatum et rescriptum, indifferenter de primæ epdomadæ computatione, in prima epdomada quadragesimæ servamus.

DE SECUNDO JEJUNIO.

Secundum jejunium quarti mensis a veteri lege exortum est. quando lex [data] est Moysi in Monte Sinai, et præceptum est a Domino ut sit populus paratus ad audiendam vocem in diem tercium, et ne adpropinquent uxoribus suis. Et iterum Dominus ad Moysen: 'Tolletis de cunctis frugibus vestris primitias, et offeretis ea Domino Deo vestro.' Quod et in Novo Testamento constitutum est, juxta id quod Dominus ait: 'Non possunt filii sponsi jejunare quandiu cum illis est sponsus,' et reliqua. Quod juxta congruentiam temporum post ascensionem Domini ad cœlos, præsentia corporali subtracta, tunc indictum est jejunium quarti mensis secundo sabbato. Hoc autem jejunium idem beatus Gregorius, per præfatum legatum, in Antiphonario suo et Missali, in plena epdomada post Pentecosten Anglorum æcclesiæ cælebrandum destinavit. Quod non solum nostra testantur Antiphonaria, sed et ipsa que cum Missalibus suis conspeximus apud Apostolorum Petri et Pauli limina.

DE TERCIO JEJUNIO.

Tercium jejunium septimi mensis a Domino per Moysen præcipitur dicente: 'Loquere filiis Isräel, et dices ad eos: Decimus dies mensis septimi vocabitur sanctus, humiliabitis animas vestras in jejunio. Omnis anima, quæ afflicta non fuerit die hoc, peribit de populo suo.' Idcirco autem in æcclesia hoc jejunium cælebratur secundum antiquam consuetudinem, vel quia decrescit dies et nox augetur, quia ad defectum solis et noctis augmentum vita nostra deficere adveniente morte ostenditur, quæ mors in judicio Dei et resurrectione reparabitur ad vitam. Et si vitæ nostræ terminus in defectione dierum exprimitur, mortisque adventus in augmento noctis, necessarium duximus, ut ob memoriam et recordationem tanti misterii, omni anno humiliemus animas nostras, ut filios Israel hoc in tempore fecisse legimus, in jejunio et afflictione, non solum a cibis, sed

ab omnibus vitiorum contagiis, adtendentes sermonem Evangelii: 'Ambulate dum lucem habetis, ut non tenebræ vos comprehendant; veniet autem nox, quando nemo potest operari.' Hoc Anglorum æcclesia in plena epdomada ante equinoctium, neglecta terciæ epdomadæ computatione, solet cælebrare.

DE QUARTO JEJUNIO.

Quartum jejunium mense Novembrio a veteribus colebatur, juxta præceptum Domini ad Jeremiam dicentis: 'Tolle volumen libri, et scribe in eo omnia verba, quæ locutus sum adversus Israel et Judam. Et factum est in mense nono, prædicaverunt jejunium in conspectu Domini omni populo in Jerusalem.' Hac ergo auctoritate divinarum Scripturarum æcclesia catholica morem optinet, et jejunium atque observationem mense cælebrat decimo, sabbato quarto, propter advenientem venerabilem sollempnitatem Domini nostri Jesu Christi; ubi ante plures dies et continentia carnis et jejunia exhibenda sunt, ut unusquisque fidelis præparet se ad communionem corporis et sanguinis Christi cum devotione sumendam. Quod et gens Anglorum semper in plena epdomada ante Natale Domini consuevit, non solum quarta et sexta feria, et sabbato, sed et juges xII. dies in jejuniis, et vigiliis, et orationibus, et elemosinarum largitionibus, et in monasteriis, et in plebibus, ante Natale [Domini], quasi legitimum jejunium exercuisse perhibetur. Nam hæc, Deo gratias, a temporibus Vitaliani papæ, et Theodori Dorobernensis archiepiscopi inolevit in æcclesia Anglorum consuetudo, et quasi legitima tenebatur, ut non solum clerici in monasteriis, sed etiam laici cum conjugibus et familiis suis ad confessores suos pervenirent, et se fletibus a carnalis concupiscentiæ consortio his duodecim diebus cum elemosinarum largitione mundarent, quatenus puriores Dominicæ communionis perceptionem in Natale Domini perciperent. Preter heec namque constituta jejunia quarta et sexta feria, propter passionem Christi, et sabbato, propter quod ipso die jacuit in sepulchro plerique jejunaverunt.

EXCERPTIONES ECGBERTI,

EBORACENSIS ARCHIEPISCOPI,

E DICTIS ET CANONIBUS SANCTORUM PATRUM CONCINNATÆ.

*INCIPIT DE CANONIBUS.

Canones dicimus regulas quas sancti patres constituerunt, in quibus scriptum est quomodo canonici, id est, regulares clerici vivere debent.

AUGUSTINUS AURELIENSIS EPISCOPUS DICIT:

Ut nulli sacerdotum suos liceat canones ignorare, nec quicquam facere, quod patrum possit regulis obviare. Et ne excusatio de ignoratione nascatur, vel per oblivionem aliquid negligatur, frequenter in hoc libello, quasi in speculo, prospiciant, quod canonum est regulis definitum. Veruntamen non omnes clerici judicia canonicæ constitutionis usurpare aut legere debent, sed solummodo presbiteri; sicut enim sacrificium offerre non debent, nisi episcopi et presbiter, sic nec judicia ista alii usurpare debent.

INCIPIUNT EXCERPTIONES DOMINI ECGBERHTI, ARCHIEPISCOPI EBURACI CIVITATIS, DE SACERDOTALI JURE.

I. ITEM. JUS SACERDOTALE.

Ut unusquisque sacerdos ecclesiam suam cum omni diligentia ædificet; et reliquias Sanctorum cum summo studio vigiliarum noctis, et divinis officiis conservet.

^{*}In Oxoniensi Ms. priores istæ XXI. excerptiones ante Lib. Pænit. Ecgberti inseruntur, sub titulo: 'Hæc sunt jura sacerdotum quæ tenere debent.' W. Textus ex G. sumitur.

II. ITEM.

Ut omnes sacerdotes, horis competentibus diei et noctis, suarum sonent ecclesiarum signa, et sacra tunc Deo celebrent officia; et populos erudiant, quomodo aut quibus Deus adorandus est horis.

III. ITEM.

Ut omnibus festis et diebus Dominicis unusquisque sacerdos Evangelium Christi prædicet populo.

IIII. ITEM.

Ut unusquisque sacerdos cunctos sibi pertinentes erudiat, ut sciant qualiter decimas totius facultatis ecclesiis divinis debite offerant.

V. ITEM.

Ut ipsi sacerdotes a populis suscipiant decimas, et nomina eorum quicunque dederint scripta habeant, et secundum auctoritatem canonicam coram a[Deum] timentibus dividant; et ad ornamentum ecclesiæ primam eligant partem; secundam autem, ad usum pauperum atque peregrinorum, per eorum manus misericorditer cum omni humilitate dispensent; tertiam vero sibimetipsis sacerdotes reservent.

VI. ITEM.

Ut unusquisque sacerdos orationem Dominicam et symbolum populo sibi commisso curiose insinuet, ac totius religionis studium, et Christianitatis cultum eorum mentibus ostendat.

VII. ITEM.

Ut cuncti sacerdotes precibus assiduis pro vita et imperio domini imperatoris, et filiorum ac filiarum salute orent.

VIII. ITEM.

Ut unusquisque sacerdos cotidianis assistat orationibus pro pontifice, cujus gubernatur regimine.

IX. ITEM.

Ut nullus sacerdos in domibus vel aliis locis, nisi in ecclesiis dedicatis, celebrare missas audeat.

X. ITEM.

Ut a cunctis sacerdotibus jus et tempus baptismatis temporibus congruis, secundum canonicam institutionem, cautissime observentur.

XI. ITEM.

Ut omnes sacerdotes, quibuscunque horis, omnibus indigentibus baptismum, infirmitatis causa, diligentissime tribuant.

XII. ITEM.

Ut nullus presbiter sacrum officium, sive baptismatis sacramentum, aut aliquid donorum spiritalium pro aliquo precio vendere præsumat; ne vendentes et ementes in templo columbas imitentur; et pro his que adepti sunt per gratiam divinam, non pretia concupiscant terrena, sed solam regni celestis gloriam promereantur accipere.

XIII. ITEM.

Ut nullus presbiter a sede sanctæ ecclesiæ sub cujus titulo ordinatus fuit, *ammonitionis causa ad alienam pergat *ambitionis? ecclesiam, sed ibidem devotus, usque ad vite permaneat exitum.

XIIII. ITEM.

Ut nullus ex sacerdotum numero ebrietatis vitium nutriat, nec alios cogat per suam jussionem inebriari.

XV. ITEM.

Ut nullus sacerdos extranearum mulierum habeat familiaritatem, nec in sua domu, in qua ipse habitat, ullam mulierem unquam permittat habitare.

XVI. ITEM.

Ut nulli sacerdotum liceat fidejussorem esse, neque derelicta propria lege ad secularia judicia accedere.

XVII. ITEM.

Ut nemo sacerdotum ex numero arma pugnantium unquam portet, nec litem contra proximum ullam excitet.

XVIII. ITEM.

Ut nullus presbiter edendi aut bibendi causa gradiatur in tabernas.

XIX. ITEM.

Ut nullus sacerdos quicquam cum juramento juret, sed simpliciter cum puritate et veritate omnia dicat.

XX. ITEM.

Ut cuncti sacerdotes omnibus illis confitentibus eorum crimina, dignam petitentiam cum summa vigilantia ipsis judicent, et omnibus infirmis ante exitum vitæ viaticum et communionem corporis Christi misericorditer tribuant.

XXI. ITEM.

Ut secundum diffinitionem sanctorum patrum, si quis infirmatur, a sacerdotibus oleo sanctificato cum orationibus diligenter ungatur.²

XXII. ITEM.

Ut presbiter eucharistiam habeat semper paratam ad infirmos, ne sine communione moriantur.

XXIII. ITEM.

Ut sine auctoritate vel consensu episcoporum, presbiteri in quibuslibet ecclesiis nec constituantur, nec expellantur.

XXIIII. ITEM.

Ut æcclesiæ antiquitus constitutæ, nec decimis, nec alia ulla possessione priventur, ita ut novis oratoriis tribuantur.

XXV. ITEM.

Ut unicuique æcclesiæ vel una mansa integra absque alio servitio adtribuatur, et presbiteri in eis constituti non de decimis, neque de oblationibus fidelium, nec de domibus, neque de atriis vel ortis juxta æcclesiam positis, neque de præscripta mansa, aliquod servitium faciant præter æcclesiasticum; et si aliquid amplius habuerint, inde senioribus suis, secundum patriæ morem, debitum servitium impendant.

^{*} Hucusque conveniunt codex noster et Oxon. Ms. Post hæc vero in Oxon. Cod. sequuntur tituli de capitalibus criminibus, usque ad finem libri primi, et noster codex progreditur in hunc modum. W.

XXVI. ITEM.

Ut episcopi et presbiteri non longe ab æcclesia hospitiolum habeant.

XXVII. ITEM.

Ut episcopus in æcclesia consessu presbiterorum sublimior sedeat, intra domum vero collegam se presbiterorum esse cognoscat.

XXVIII. ITEM.

Ut unusquisque episcopus in sua parrochia diligenter provideat, ut æcclesiæ Dei bene constructæ, et restauratæ, et ornatæ fiant, tam in *officio, et luminaribus, quamque in *ædificio? reliqua restauratione; et, ut servi Dei regulariter vivant, unusquisque secundum sui ordinis gradum, maxime episcopus curam habeat, sed et canonicas horas ut tempore statuto simul celebrent, ipse præcaveat.

Septem igitur sinaxes sancti patres canendas constituerunt, quas omni die clerus singulis horis canere debet: quarum prima est nocturnalis sinaxis; secunda prima hora diei; tertia ipsa hora est quam tertiam vocamus; quarta vero sexta hora est; quinta nona hora est; sexta autem sinaxis vespera hora est: septimam namque sinaxim completorium vocitamus. Has ergo septem sinaxes omni die debemus sollicite reddere Deo pro nobis et pro omni populo Christiano, sicut psalmista testatur, dicens: 'Septies in die laudem dixi tibi super judicia justitiæ tuæ.' Et insuper missas non omittere, sicut fecerunt sancti patres, quos confessores nuncupamus, id est, episcopi et presbiteri, qui in castitate servierunt Deo.

XXIX. DE EPISCOPIS PAULUS DICIT:

Oportet enim episcopum per omnia inreprehensibilem esse, sicut Dei dispensatorem, non superbum, non iracundum, non vinolentum, non percussorem, non turpis lucri cupidum; sed hospitalem, benignum, sobrium, sanctum, et cetera.

XXX. ITEM APOSTOLUS:

Oportet igitur episcopum testimonium habere bonum ab his qui foris sunt, ut doctrinam Dei nostri ornet in omnibus.

XXXI. DE MAGNA SINODO.

Interdicit per omnia magna sinodus, non episcopo, non presbitero, non diacono, nec alicui omnino qui in clero est, licere subintroductam mulierem habere.

XXXII. ET ITEM.

Canones quoque docent, ut si quis acceperit viduam aut dimissam mulierem, aut qui bis duxerit uxorem, nunquam fiat diaconus, nunquam sacerdos.

XXXIII. ITEMQUE.

Episcopus, presbiter, aut diaconus, qui in fornicatione, aut perjurio, aut furto, aut homicidio captus est, deponatur.

XXXIIIL INSTITUTIONES SANCTORUM PATRUM.

Observandum itaque est episcopis, ut in caritate radicati et fundati, veram pacem et concordiam integram invicem habeant; ita ut sit in omnibus quasi cor unum et anima una, et in ore omnium veræ fidei integra doctrina * * *.*

XXXV.

Non oportet aliquid ponere in æcclesia, nisi quæ ad ministeria ecclesiastica pertinent: In Deuteronomio scriptum est: 'Non plantabis lucum nec statuam juxta sanctuarium Domini.'

XXXVI. INCIPIT DE SABBATO.

Deus Creator omnium creavit hominem in sexta feria, et in sabbato requievit ab operibus suis, et sanctificavit sabbatum propter futuram significationem passionis Christi, et quietis in sepulchro. Non ideo requievit quia lassus esset, qui omnia sine labore fecit, cujus omnipotentia non potest lassari; et sic requievit ab operibus suis, ut non alias creaturas quam antea fecerat postea fecisset. Non fecit alias creaturas postea, sed ipsas quas tunc fecit, omni anno usque in finem seculi facit. Homines creat in animabus et corporibus, et animalia et bestias sine animabus; omnis anima hominis a Deo datur, et ipse renovat creaturas suas, sicut Christus in Evangelio ait: 'Pater meus usquemodo operatur, et ego operor.' Christus pro nobis passus est in sexta ætate mundi, in sexta feria; et reformavit perditum hominem passione sua, et operatis miraculis suis. Requievit in sepulchro per sabbatum, et sanctificavit Dominicam diem resurrectione sua; nam Dominica dies prima dies seculi est, et dies resurrectionis Christi, et dies Pentecostes, et

^{*}In hac parte codicis, duarum fere paginarum scriptura ita est deleta ut legi nequeat.

ideo sancta est; et nos ipsi debemus esse spiritaliter sabbatum sabbatizantes, id est, vacantes ab operibus servitutis, id est, peccatis, quia 'Qui facit peccatum, servus est peccati.' Sed quia non possumus esse sine peccatis, caveamus in quantum possumus, et emendemus quicquid peccaverimus; demus bona exempla subditis nobis, et corrigemus nosmetipsos et subditos, et exhortemur ad meliora jugiter. Amen.

XXXVII. ITEM SANCTORUM PATRUM.

Pascha certis temporibus celebrare omnibus generaliter satagendum est, id est, post xIIII. lunam primi mensis.

XXXVIII. SINODUS AGATENSIS.

Seculares qui in Natale Domini, et Pascha, et Pentecosten, non communicaverint, catholici esse non credantur.

XXXIX. CANON AFFRICANENSIS.

Penitentes secundum canones non debent communicare ante consummationem penitentiæ; nos autem, pro misericordia miserantis Dei, post annum, vel duos, vel tres, aliquibus licentiam damus.

XL. ITEM SANCTORUM PATRUM.

Baptismatis sacramenta indifferenter presbiteri indigentibus tribuant, et penitentiam quærentibus citissime succurrant, nullum exinde pretium requirentes, nisi ipsi, aut parentes eorum, seu elemosinarii sponte aliquid dederint.

Si quis vero his institutionibus contraire tentaverit, aut excommunicationis sentiet pœnam, aut carceris erumpnam diu sustineat.

XLI. CANON PATRUM.

Placuit de infantibus, quoties non inveniuntur certissimi testes, qui eos baptizatos esse testentur, neque ipsi sunt per ætatem idonei de traditis sibi sacramentis respondere, absque ullo scrupulo hos esse baptizandos, ne ista trepidatio eos faciat sacramentorum purgatione privari.

XLII. ITEM.

Sunt quidam qui miscent vinum cum aqua baptismatis non recte; et Christus non jussit baptizari vino, sed aqua.

XLIII. CANON CALCEDONENSIS.

Ut nullus presbiter sine chrismate proficiscatur.

XLIIII. CANON APOSTOLORUM.

Si quis episcopus, aut presbiter, aut diaconus, per pecunias hanc obtinuerit dignitatem, dejiciatur et ipse et ordinator ejus, et a communione modis omnibus abscindatur, sicut Simon Magus a Petro.

XLV. CANON AFFRICANUS.

Episcopus, absque consilio presbiterorum, clericos non ordinet.

XLVI. CANON.

Episcopus nullius causam audiat absque præsentia clericorum suorum, excepta causa confessionis.

XLVIL CANON CARTHAG'.

Nihil rector sine fratrum suorum consilio faciat; scriptum est enim: 'Omnia fac cum consilio, et post factum non penitebis.'

XLVIII. CIPRIANUS EPISCOPUS DICIT:

Firmum decretum esse non potest, quod non plurimorum videbitur habuisse consensum.

XLIX. CANON ROM'.

Si in qualibet provincia ortæ fuerint quæstiones, ad majorem sedem vel sinodum, seu etiam ad apostolicam sedem Romæ referantur.

L. CANON EPISCOPORUM.

Non temere quemquam communione privet episcopus,² et ne quem alius episcopus ab æcclesia expulerit, sive clericum sive laicum, suscipiat alius.

LI. CANON NICEN'.

Nemo eum qui ad alium pertinet subripiens, in sua æcclesiaordinet, absque consensu illius ad quem pertinet.

^aIn Ms. 'justo judicio' superscribitur manu antiqua.

LII. CANON CALCEDONENSIS.

Ut nullus absolute ordinetur, et sine pronunciatione loci, ad quem ordinandus est.

Altaria nisi lapidea chrismatis unguine non consecrentur.

LIII. CANON EPAONENSIS.

Non oportet in domibus non dedicatis oblationes celebrari ab episcopis vel presbiteris.

LIIII. CANON SANCTORUM.

Nemo in precibus, vel Patrem pro Filio, vel Filium pro Patre nominet; sed cum altari assistitur, semper ad Patrem dirigatur oratio.

LV. ITEM.

Et sufficit sacerdoti unam missam in una die celebrare, quia Christus semel passus est, et totum mundum redemit; in Levitico quoque scriptum est: " 'Non debere Aaron ingredi assidue interius in sancta.'

LVI. CANON AURELIANENSIS.

Episcopus pauperibus et infirmis, qui debilitate faciente non possunt suis manibus laborare, victum et vestimentum, in quantum possibilitas fuerit, largiatur.

LVII. THEODORUS DICIT:

Statutum est, ut sine auctoritate vel consensu episcoporum, presbiteri in quibuslibet æcclesiis non constituantur, nec inde expellantur; et si quis hoc facere temptaverit, sinodali sententia feriatur.

LVIII. CANON EPISCOPORUM.

Episcopi nullatenus secularibus negotiis, plusquam Dei servitiis, quod absit, subditi existant, sed maxime curam animarum habeant, ut, secundum Apostolum, populum Dei suis exemplis bene corrigant, et sanæ quoque doctrinæ sermonibus instruant.

LIX. CANON.

Clerici omni subjectione episcopis subjecti illis debitam præbeant obedientiam, et nullo jactantiæ suæ studio semetipsos attollant.

LX. CANON CALCEDON'.

Si qui ergo clerici vel monachi reperti fuerint conjurantes, aut conspirantes, aut insidias ponentes episcopis, gradu proprio penitus abjiciantur.

LXI. CANON NICEN'.

Si quis alicujus episcopi clericum vel monachum susceperit, absque consensu illius, sacrilegus judicetur, et a communione suspendetur, quoadusque clericum vel monachum proprio episcopo restituat; quo etsi clericus contumax redire noluerit, anathema sit.

LXII. CANON HIBERN'.

Qui levaverit manum cum asta aut gladio ad percutiendum aliquem juxta episcopum, redimat manum vel perdat; quod etsi vulneraverit, tondeat caput cum barba, et Deo serviat; primo tamen episcopo sed et cui læsit satisfaciat. Si quis autem clericum vulneraverit, vel alicui ex ecclesiastico ordine nocuerit, secundum ordinis quantitatem; septempliciter emendet, et secundum ordinis dignitatem peniteat, aut extorris propria patria exulet; Dominus enim per prophetam dicit: Nolite tangere christos meos,' et reliqua.

LXIII. CANON AURELIAN'.

Abbates pro humilitatis religione in episcoporum potestate consistant, et si quid extra regulam fecerint, ab episcopis corrigantur; qui semel in anno in loco ubi episcopus elegerit, accepta vocatione conveniant. Monachi autem abbatibus omni se obedientiæ devotione subjiciant. Quod si quis per contumaciam extiterit indevotus, aut per loca aliqua evagari, aut peculiare aliquid habere præsumpserit, omnia quæ adquisierit ab abbatibus auferantur, secundum regulam monasterio profuturam. Ipsi autem qui fuerint pervagati, cum auxilio episcopi, tanquam fugaces, sub custodia revocentur, et reum se ille abbas futurum esse cognoscat, qui hujusmodi personas non

i

regulari ¹animadversione distrinxerit, vel etiam qui monachum susceperit alienum.

LXIII. CANON AURELIAN.

Si quis autem abbas cautus in regimine, et humilis, castus, sobriusque, misericors, et discretus non fuerit, ac divina præcepta verbis et exemplis non ostenderit, ab episcopo in cujus consistit territorio, et a vicinis abbatibus et ceteris Deum timentibus, a suo arceatur honore, etiamsi omnis congregatio, vitiis suis consentiens, abbatem eum habere voluerit.

LXV. CANON 2EPISCOPORUM.

Si extiterit abbas divinis jussionibus prævaricator, regulæque sanctæ contemptor, ab episcopo civitatis, cum consensu abbatum aliorumque monachorum timentium Deum, honore abbatis privetur.

Convenit enim episcopum civitatis, ut sancta et magna sinodus Calcedonensis decrevit, competentem monasteriorum providentiam gerere.

LXVI. LEO PAPA DICIT:

Propositum monachi deseri non potest aliquo pacto; quod enim quis vovet Deo reddere debet. Psalmista namque dicit: 'Vovete et reddite Domino Deo vestro.'

LXVII. THEODORUS DICIT:

Monachi non migrent de loco ad locum, sed in ea permaneant obedientia, quam tempore suæ conversionis promiserunt.

LXVIII. FRUCTUOSUS DICIT:

Monachus sanctæ regulæ violator sive contemptor, vel parvulorum incestuose aut adolescentium consectator, publice verberetur, coronam capitis, quam gestat, amittat, decalvatusque turpiter obprobria patiatur, vel vinculis artatus ferreis carcerali angustia maceretur.

LXIX. CANON AGATENSIS.

Si quis monachus adulterium aut furtum fecerit, quod potius sacrilegium dici potest, id censuimus ordinando, ut virgis

¹ adversione Ms. male.

² apostolorum. us. male.

* suscipiat?

cesus tanti criminis reus, nunquam officium clericatus excipiat. Si vero jam clericus in id facinus fuerit deprehensus, nominis ipsius dignitate privetur.

LXX. AURELIENSIS EPISCOPUS DICIT:

Carnes in cibo monachi nunquam sumant: pulli vero vel altilia cuncta in congregatione non ministrentur; infirmis tantum provideantur et accipere liceat.

LXXI. ISIDORUS EPISC. DICIT:

Abbati vel monacho monasterii servum non licet facere liberum. 'Impium est ut qui res ecclesiæ non contulerit, damnum inferat.'

LXXII. CANON.

Si quis episcoporum, aut presbiterorum, vel ministrorum, ex rebus æcclesiæ, quæ in quibuscunque locis a fidelibus largiuntur, aliquid aufert, et male rapta cum confusione restituet, et excommunicationis annuæ sententiam subibit.

LXXIII. CANON HIBERN'.

Pecunia æcclesiastica furata sive rapta reddatur quadruplum, popularia dupliciter.

LXXIIII. ITEM CANON HIBERN'.

Si quis furatus fuerit pecuniam ab æcclesia, mittatur sors, ut aut illius manus abscindatur, aut in carcerem mittatur, diu jejunans et gemens; et reddat integrum quod abstulit, aut peregrinus abjiciatur, et restituat duplum; et si in patria permanserit, quadruplum restituat, et semper peniteat.

LXXV. CANON TOLETAN'.

Si clericus in demoliendis sepulchris fuerit deprehensus, a clericatus ordine pro sacrilegio submoveatur. Si quis sepulchrum violaverit, vii. annos peniteat; tres ex his in pane et aqua.

Eliberitan.?

LXXVI. CANON *HEBRITAN'.

Eos qui ad æcclesiam confugerint trahi non oportet, sed eos domini sui promissa intercessione persuadeant. Quod si ab æcclesia exeuntibus penale aliquid dominus intulerit, ut ecclesiæ inimicus habeatur excommunicatus.

LXXVII. CANON HIBERN'.

Si quis alicui aliqua ratione nocuerit sub confugio æcclesiastico, vel sub aliquo sanctimonii signaculo, septempliciter emendet, reddat, et restituat, sed et vii annos in dura penitentia permaneat; sin aliter, excommunicandus est ab omni æcclesia catholica.

LXXVIII. HIERONIMUS DICIT:

Æcclesia defendit quos in sinu suo recepit, more gallinæ, quæ pullos proprios et alienos nutrit et defendit; ita et æcclesia cunctos fugientes in se defendere debet.

LXXIX. CANON HIBERN'.

Qui occiderit hominem intra septa monasterii, exul cumi damnatione exeat, vel projectis armis, raso capite et barba, reliquum vitæ suæ tempus Deo serviat, primo tamen æcclesiæ et parentibus satisfaciens.

LXXX. HIERONIMUS DICIT:

Qui peccant in loco sancto, in eodem quoque occidendi sunt; in loco castrorum Finees interfecit virum et meretricem; Mathathias Judæum, qui immolabat simulaero. Quicunque enim maculaverit sanctum, sancta non defendent eum. Christus malefacientes in templo flagris compescuit.

LXXXI. HIERONIMUS DICIT:

Qui percusserit malos, eo quod mali sunt, minister Domini est.

LXXXII. ITEM HIERONIMUS DICIT:

Homicidas et sacrilegos punire non est effusio sanguinis, sed legum ministerium; nocet itaque bonis qui parcet malis.

LXXXIII. CANON ARAUSICAN'.

Amentibus quæcunque [opera] pietatis sunt conferenda.

LXXXIIII. CANON CARTAG'.

Omni die exorcistæ inerguminis manus imponant.

LXXXV. CANON ARAUSICAN'.

Qui palam aliquando arrepti sunt, non solum non assumendi

ad ullum ordinem clericatus, sed si jam aliqui ordinati sunt, ab inposito officio repellendi.

LXXXVI. CANON CARTAG'.

Sacerdote verbum in æcclesia faciente, qui egressus de auditorio fuerit, excommunicetur.

LXXXVIL CANON CARTAG'.

Laicus præsentibus clericis, nisi ipsis ¹rogantibus, docere non audeat.

LXXXVIII. ISIDORUS DICIT:

Omnis mundialis sapiens, si sapiens sit, non judicet judicia æcclesiæ.

LXXXIX. CANON CARTAG'.

Mulier, quamvis docta et sancta sit, viros in conventu docere non andest.

XC. CANON CARTAG'.

Sponsus et sponsa cum benedicendi sunt a sacerdote, a parentibus aut paranimphis offerantur, qui cum benedictionem acceperint, eadem nocte, pro reverentia ipsius benedictionis, in virginitate permaneant.

XCI. CANON DICIT.

Presbiterum convivio secundarum nuptiarum interesse non debere, maxime cum petatur secundis nuptiis penitentiam tribuere.

XCII. GELASII PAPÆ.

Devotis Deo virginibus *[vel viduis] nisi aut in Epiphania, aut in albis Paschalibus, aut in Apostolorum nataliciis sacrum minime velamen imponant, nisi forsitan, sicut de baptismate dictum, gravi languore correptis, ne sine hoc munere de seculo transeant, implorantibus non negetur.

XCIII. CANON CARTAG'.

Placuit ut ante xxv. annos ætatis, nec diaconus ordinetur, nec virgines consecrentur, nisi rationabili necessitate cogente.

¹ Ms. provocandis male.

Ab antiqua manu superscripta.

XCIIII. BASIL' EPISCOPI.

Oportet tamen infantes cum voluntate et consensu parentum, immo ab ipsis parentibus oblatos, sub testimonio plurimorum suscipi.

XCV. ISIDOR'.

Quicunque a parentibus propriis in monasterio fuerit delegatus, noverit se ibi perpetuo mansurum; nam Anna Samuel puerum natum et ablactatum Deo optulit, qui in ministerio templi permansit.

XCVI. CANON ROMAN' ET FRANCORUM.

Parvulus usque annos xv. pro delicto corporali disciplina castigetur; post hanc vero ætatem, quicquid deliquerit, vel si furatur, retribuat, seu etiam secundum legem exsolvat.

XCVII. CANON NEOCÆSARIENSIS.

Ut nullatenus presbiter ordinetur ante tricesimum ætatis annum, nisi rationabili necessitate cogente; quia Dominus Jesus non prædicavit ante xxx. ætatis annum.

XCVIII. CANON NICEN'.

Ut episcopus, si fieri potest, a totius provinciæ episcopis ordinetur, et si hoc difficile est, certe non minus a tribus. Episcoporum autem ordinationes fieri oportet Dominicis diebus, non in agris vel in villulis, sed in urbibus præcipuis, pro tanti nominis dignitate.

XCIX.

Presbiterorum vero et diaconorum in quattuor temporum sabbatis, scilicet, ut, dum hæc ordinatio coram populo agitur, sub omnium testificatione electorum ordinatorumque, opinio discutiatur.

C. CANON SANCTORUM.

Sacerdotes Dei diligenter semper procurent, ut panis et vinum, et aqua, sine quibus nequaquam missæ celebrantur, pura et munda fiant; quia si aliter agatur, cum his qui acetum cum felle mixtum Domino optulerunt, nisi vera penitentia subvenerit, punientur.

CI. DE DECIMIS.

In lege Domini scriptum est: 'Decimas et primitias non tardabis offerre.' Et in Levitico: 'Omnes decimæ terræ, sive

de frugibus, sive de pomis arborum, Domini sunt; boves, et oves, et capræ, quæ sub pastoris virga transeunt, quicquid decimum venerit, sanctificabitur Domino.' Non eligetur nec bonum nec malum, nec alterum commutabitur.

CII. AUGUSTINUS DICIT:

Decimæ igitur tributæ sunt æcclesiarum et egentium animarum. O homo, inde Dominus decimas expetit, unde vivis. De militia, de negotio, de artificio redde decimas; non enim eget Dominus noster, non præmia postulat, sed honorem.

CIII. ITEM IN LEGE.

'Cum messueris segetem terræ tuæ, non tondebis usque ad solum superficiem terræ, nec remanentes spicas colliges, neque in vinea tua racemos et grana decidentia congregabis; sed pauperibus et peregrinis carpenda dimittes.'

CIIII. ET IN LEGE.

'Si intraveris in segetem amici tui, frange spicas, et manu contere; falce autem non metas.' Hoc et discipuli Salvatoris fecerunt, spicas videlicet manibus fricantes et manducantes sabbatis, ut Evangelium dicit.

CV. ITEM IN LEGE.

'Ingressus itaque vineam proximi tui, comedes uvas quantum tibi placuerit; foras autem ne feras tecum.'

CVI. INSTITUTIO PATRUM.

Die Dominico nihil aliud agendum est, nisi Deo vacandum in ymnis, et psalmis, et canticis spiritalibus. Dies quoque paschalis ebdomadæ omnes æquali religione colendi sunt.

CVII. CANON AURELIAN'.

Id etiam miserationis intuitu æquum duximus custodire, ut qui pro quibuscunque culpis carceribus deputantur ab archidiacono seu a præposito æcclesiæ, singulis Dominicis diebus requirantur, ut necessitas vinctorum, secundum præceptum divinum, misericorditer sublevetur, atque a pontifice competens victus de domo æcclesiæ tribuatur.

Lev. xix. 9, 10. xxiii. 22. Deut. xxiv. 19.

b Deut. xxIII. 25. Matt. xII. 1, Mar. II. 23. Luc. VI. 1.

CVIII. ITEM.

Qui Dominica nocte nupserita, vII. dies peniteat. Qui im quadragesima ante Pascha, I. annum peniteat.

CIX. ITEM.

Indicta jejunia nullus præsumat infringere vel violare, ne iram Dei incurrat.

CX. EX CONCILIO BRACARENS'.

Non oportet homines religiosos ante sacram horam diei III. cibum sumere, nec convivia inire; neque clericos aliquando, nisi himno dicto, edere panem, et post cibos gratias Auctori referre.

CXI. CANON SANCTORUM.

Qui in matrimonio sunt, abstineant se III. noctes antequam communicent, et unam postquam communicaverint. Inde ait Apostolus: 'Nolite fraudare invicem, nisi ex consensu, ut vacetis orationi ad tempus.'

CXII. GREGORIUS DICIT:

Si quis conjugem suam, si fieri potest, non cupidine voluntatis, sed solummodo creandorum liberorum gratia utitur, iste profecto sive de ingressu æcclesiæ, seu de sumendo Dominici corporis sanguinisque mysterio, suo est relinquendus judicio; quia a nobis prohiberi non debet, cum ei juxta præfinitam sententiam, etiam ecclesiam licuerit intrare; veruntamen quia ipsa licita admixtio conjugis sine voluntate carnis fieri non potest, ideo aliquando a sacri loci ingressu abstinendum est, quia voluntas ipsa esse sine culpa nullatenus potest.

CXHL DE CONJUGIO SCRIPTUM EST IN LEGE.

Si seduxerit quis virginem necdum desponsatam, dormieritque cum ea, dotabit eam, et habebit eam uxorem.

CXIIII. AUGUSTINUS DICIT:

Qui uxorem optat accipere, sicut illam virginem invenire desiderat, ita et ipse usque ad nuptias virginitatem custodiat.

^{*} Voci 'nupserit' superimponitur in Ms. 'cum propria conjuge.'

b Exod. xxII. 16.

CXV. SINODUS ROM. DICIT:

Filii cum ad annos pubertatis venerint, cogantur aut uxores ducere, aut continentiam profiteri; sic et filiæ eadem ætate debent eandem legem servare.

CXVI. PAULUS APOSTOLUS DICIT: A

'Propter fornicationem unusquisque suam propriam uxorem habeat, et unaquæque virum suum.' Legitimum quoque conjugium nullus separare præsumat: 'Quod ergo Deus conjunxit, homo non separet.'

CXVII. PAULUS DICIT:b

Mulier sui corporis potestatem non habet, sed vir; similiter et vir sui corporis potestatem non habet, sed mulier.

CXVIII. SINODUS DICIT:

Muliere mortua, licet viro post mensem accipere alteram; post annum vero licet mulieri accipere alterum virum.

CXIX. PAULUS APOSTOLUS DICIT: c

Mulier alligata est legi quanto tempore vivit vir ejus, quod si dormierit vir ejus liberata est; cui vult nubat, tantum in Domino: beatior autem erit, si sic permanserit.

CXX. ITEM CANON AFFRICANENSIS.

Legitimum igitur conjugium non licet separari sine consensu amborum, potest tamen alter alteri, cum consilio episcopi, licentiam dare ad servitium Dei accedere. Quidam etiam dicunt, si vir, sive mulier, ex consensu religionem ceperit, licet alterum accipere novum conjugium, sed puellam vel puerum, si continens esse non poterit; quod non laudo. Sed si quis vult conjugatus converti ad monasterium, non est recipiendus, nisi prius a conjuge, castimoniam profitente, fuerit absolutus; nam si illo vivente per incontinentiam alteri nupserit, proculdubio adultera erit, et qui eam dimisit, particeps erit peccati illius.

CXXI. ITEM DE LEGITIMO CONJUGIO.

Legitimum enim conjugium nullus separare præsumat, nisi

[•] I. Cor. vii. 2.

^b Ibid. v11. 4.

c Ibid. v11. 39.

ex amborum consensu, et propter amorem Christi, qui ait: ² Qui reliquerit uxorem et reliq. centuplum accipiet, et vitam æternam possidebit.' Et nemo aliter uxorem dimittat, nisi propter fornicationem, quia b' Pharisæi temptantes Dominum nostrum, Jesum Christum, interrogaverunt eum, si licet hominem dimittere uxorem suam pro quacunque causa? Respondit Jesus et ait eis: Non legistis, quia qui fecit ab initio masculum et fæminam, fecit eos, et dixit: Propter hoc relinquet homo patrem et matrem et adhærebit uxori suæ, et erunt duo in carne una? Itaque jam non sunt duo, sed una caro. Quod ergo Deus conjunxit, homo non separet. Dicunt illi: Quid ergo Moyses mandavit dare libellum repudii, et dimittere? Ait illis: Quoniam Moyses, ad duritiam cordis vestri, permisit vobis dimittere uxores vestras; ab initio autem non fuit sic. Dico autem vobis, quia quicunque dimiserit uxorem suam, nisi ob causam fornicationis, et aliam duxerit, mœchatur.' Unde et Apostolus dicit: cc Præcipio, non ego, sed Dominus, uxorem a viro non discedere.' Et iterum: d'Alligatus es uxori? noli quærere solutionem: solutus es ab uxore? ne quæsieris uxorem.' Alibi namque de adulterio vel fornicatione scriptum est: e Qui adulteram tenet, stultus et impius est.' De filiis quoque adulterarum ejiciendis cum matribus suis, et Ezechiel dicens: f Ejicite matrem fornicariam et filios fornicationis,' et rl. Et Augustinus dicit: 'Si mulier fornicata fuerit, relinquenda est, sed illa vivente altera non est ducenda.' Ubicunque igitur est fornicatio, et fornicationis vera suspicio, libere uxor dimittitur; aliter ergo, etiamsi sterilis est, si deformis, si fœtida, si temulenta, si iracunda, si malis moribus, si luxuriosa, si fatua, si gulosa, si vaga, si jurgatrix, si maledica, *habenda erit, velis nolis; et qualiscunque accepta est, tenenda * tenenda? erit, Apostolus enim dicit: 'Cum enim eras liber, sponte servituti te subjecisti.

CXXII. CANON AFFRICANENSIS.

Secundum evangelicam disciplinam, nec uxor a viro dimissa alium accipiat virum, vivente viro suo, nec vir aliam accipiat

² Matt. xix. 29.

c Ibid. v11. 10.

e Prov. xv111. 23.

⁵ forte Gal. v. 1.

b I. Cor. x1x. 4.

d Ibid. v11. 27.

forte Gal. 1v. 30.

uxorem, vivente uxore priore; sed ita maneant, aut sibimet reconcilientur.

CXXIII. AUGUSTINUS DICIT:

Si mulier fornicata fuerit, relinquenda est; sed illa vivente, altera non est ducenda.

CXXIIII. CANON DICIT:

Si mulier discesserit a viro suo, despiciens eum, nolens revertere et reconciliari viro, post v. vel vii. annos, cum consensu episcopi, ipse aliam accipiat uxorem, si continens esse non poterit; et pœniteat iii. annos, vel etiam quamdiu vixerit; quia, juxta sententiam Domini mœchus comprobatur.

CXXV. ITEM.

Si cujus uxor in captivitatem ducta fuerit, et ea redimi non poterit, post annum vii. alteram accipiat; et si postea propria, id est prior mulier de captivitate reversa fuerit, accipiat eam, posterioremque dimittat. Similiter autem et illa, sicut superius diximus, si viro talia contigerint, faciat.

CXXVI. DE MATRIMONIO SERVULORUM.

Si servum et ancillam dominus amborum in matrimonio conjunxerit, postea liberato servo vel ancilla, si non potest redimi qui in servitio est, libero licet, sicut quibusdam placet, ingenuo conjungere; sed tamen, juxta sententiam Domini, moechus probatur. Qui vero taliter egerit, id est, ut primam uxorem, propter servitium humanum dimittat, et postea liberam ducat uxorem, III. annos pœniteat, unum in pane et aqua; sed et quamdiucunque vixerit, semper aliquid peniteat. Similiter quoque et mulier peniteat, si taliter fecerit. Si quis liber ancillam, aut suam aut alterius, in matrimonio acceperit, non habet licentiam dimittere eam, si ante cum consensu amborum conjuncti sunt: si vero dimiserit eam, et aliam ducit uxorem, sive ancillam, sive liberam, ut supra scriptum est, peniteat.

CXXVII. DE CONCUBINIS.

Augustinus dicit: 'Quale est quod multi virorum ante nuptias concubinas sibi adhibere non erubescunt, quas post

annos dimittant; et sic postea legitimas uxores accipiant? Unde coram Domino et coram angelis ejus testor atque denuncio, Deum ista conjugia semper prohibuisse, et nunquam placuisse, et præcipue temporibus Christianis concubinas habere nunquam licuit, nunquam licet, et nunquam licebit.'

CXXVIII. ITEM IN LEGE.

Nemo incestis conjunctionibus se inquinet, quia in Levitico scriptum est: 'Omnis homo ad proximam sanguinis sui non accedat, ut revelet turpitudinem ejus.' Et iterum: b'Anima quæ fecerit quippiam ex istis, peribit de medio populi sui.' Sane quibus conjunctio inlicita interdicitur, habebunt ineundi melioris conjugii libertatem.

CXXIX. SINODUS DICIT:

Quicunque inlicito matrimonio fuerint commixti, post penitentiam non debent fieri in una domu, ne se invicem, causa amoris, copulent.

CXXX. ITEM SINODUS DE THORO FRATRIS DEFUNCTI.

Audi decreta sinodi: 'Superstes frater thorum defuncti fratris non ascendat, Domino dicente: c Erunt duo in carne una.' Ergo uxor fratris tui soror tua est.

CXXXI. GREGORIUS DICIT:

Si quis monacham, vel commatrem spiritalem, vel fratris uxorem, vel neptam, vel novercam, vel consobrinam, vel de propria cognatione, vel quam cognatus habuit, duxerit uxorem, anathema sit.

ITEM DE CONSANGUINEIS. GREGORIUS CXXXII. INTERROGATIONIBUS AUGUSTINI ITA RE-SPONDIT.

Quædam terrena lex in Romana republica permittit, ut sive *frater et soror, seu duorum fratrum germanorum, vel duarum * fratris et

sororis?

Lev. xvIII. 6.

^b Ibid. 29.

sororum filius et filia misceantur; sed experimento didicimus, ex tali conjugio sobolem non posse succrescere; et sacra lex Mosaica prohibet cognationis turpitudinem revelare: unde necesse est, ut jam tertia vel quarta generatio fidelium licenter jungi debeat, nam secunda, quam prædiximus, a se omnimodo abstinere debet.

CXXXIII. ITEM DE RATIONABILI CAUSA.

Vere post multum temporis, a Felice, Messanæ Siciliæ præsule, requisitus Gregoriusa, utrum Augustino scripsisset, ut Anglorum quarta generatione contracta matrimonia minime solverentur? humillimus pater, inter cetera, talem reddidit rationem: 'Quod scripsi Augustino, Anglorum gentis episcopo, nostro alumno, videlicet de consanguinitatis conjunctione, ipsi et Anglorum genti, quia nuper ad fidem venerat, ne a bono quod ceperat, metuendo austeriora, recederet, specialiter et non generaliter certissime scripsisse cognoscas: unde et mihi omnis Romana civitas testis existit, nec ea intentione hæc illis scriptis mandavi, ut postquam firma radice in fide fuerint solidati, si infra propriam consanguinitatem inventi fuerint, non separentur, aut infra affinitatis lineam, id est, usque ad septimam generationem conjungantur; sed adhuc illos neophitas existentes, cœpisse eos prius illicita docere, et verbis et exemplis instruere, et quæ post de talibus egerint, rationabiliter et fideliter excludere oportet; nam juxta Apostolum, qui ait: ^b Lac vobis potum dedi, non escam, ista illis modo, non posteris, ut præfixum est, temporibus tenenda indulsimus, ne bonum quod infirma adhuc radice plantatum erat, erueretur; sed aliquantulum firmaretur, et usque ad perfectionem custodiretur.'

CXXXIV. CANON ROMAN'.

Laicus maculans se cum ancilla Dei, vel cum spiritali commatre, vel cum propinqua, aut forte cum illa quam antea cognatus habuit, primitus anathematizetur; postea vii. annos peniteat, iii. in pane et aqua. Similiter et illa peniteat; quia Christiana religio fornicationem in utroque sexu pari ratione condemnat.

^{*} Regist. l. x11. epist. 31.

CXXXV. ITEM.

Gregorius apostolicus papa ante corpus beatissimi Petri in sinodo residens, dixit: 'Si quis presbiteram duxerit in conjugium, anathema sit.'

CXXXVI. ITEM.

Si quis monacham, quam Dei ancillam appellant, duxerit in conjugium, anathema sit.

CXXXVII. ITEM.

Si quis de propria cognatione, vel quam cognatus habuit, duxerit uxorem, anathema sit; ad quod respondentes, omnes dixerunt 'Amen.'

CXXXVIII. ITEM.

Si quis cum duabus cognatis fornicationem fecerit, primitus anathematizetur, deinde vII. vel x. annos peniteat.

CXXXIX. ITEM GREGORIUS FELICI EPISCOPO.

Progeniem suam unumquemque usque ad septimam servare decernimus generationem, et quamdiu se agnoscunt affinitate propinquas in conjugium ducere nulli profecto Christianorum licet vel licebit. Et nolumus nos in hac re a vobis sive a ceteris fidelibus reprehendi, quia in his Anglorum genti indulsimus, non formam dando, sed considerationem, ne Christianitatis bonum quod ceperant, imperfectum dimitterent, egimus.

CXL. DE STEMMATIBUS.

Stemmata dicuntur ramusculi in genere, cum gradus cognationum partiuntur; ut puta ille filius, ille pater, ille avus, ille agnatus, et ceteri, quorum figuræ in subsequentibus apparent.

Et hæc consanguinitas, dum se paulatim propaginum ordinibus dirimens, usque ad ultimum gradum subtraxerit, et propinquitas esse desierit, eam rursus lex matrimonii vinculo repetit,

^{*} Regist. l. x11. indict. v11. epist. 31.

et quodammodo revocat fugientem; ideo autem usque ad sextum generis gradum consanguinitas constituta est; ut sicut sex ætatibus mundi generatio et hominis status finitur, ita et propinquitas generis tot gradibus terminaretur. Inter hos itaque propinquitatis gradus, ad conjugalem copulam nemini accedere convenit; nec eam quam aliquis ex propria consanguinitate conjugem habuit, in conjugium ducere nulli profecto Christianorum licet vel licebit; quia incestuosus talis coitus abhominabilis est Deo. Incestuosos vero nullo conjugii nomine deputandos a sanctis patribus dudum statutum esse legimus.

CXLI. VIGILIUS PAPA.

Si motum fuerit altare, denuo consecretur ecclesia. Si parietes tantum mutantur, et non altare, sale et aqua exorcizetur. Si homicidio vel adulterio fuerit violata, diligentissime expurgetur, et denuo consecretur.

CXLII. EX CONCILIO CARTAGINENSI GREGORIUS.

Quis cum ad judicium venerit, si voluerit clericus, et necesse fuerit, induciæ ei petenti a patribus constitutæ, absque impedimento concedantur, et judices a se electi tribuantur a patre. Si ibi vim aliquam temerariæ multitudinis metuerit, locum sibi congruum eligat, quo absque timore suos, si necesse fuerit, testes habere, et absque impedimento suam canonice sentenciam finire valeat; quia multa pro surreptione evenire solent. Sentenciam fratris, quæ misericordiam vetat, non solum tenere, sed etiam audire refugite; quia pocior est omnibus holocaustis misericordia. *Non ita agendum est in ecclesiasticis negociis sicut in secularibus; nam in secularibus priusquam qui legibus est coactus, venerit et decertaverit, et responsum dederit, ante peractam causam non potest recedere; in ecclesiasticis vero, dicta causa, licet recedere, si necesse fuerit, aut si se prægravari viderit.

CXLIII. IN NICENA SINODO.

Statutum est, quod judices alii non deberent esse, nisi quos ipse qui impetitur elegerit, aut quos consensu suo ejus primates

^a De hoc loco obscuro conf. vol. 1. Legg. Hen. I. v. § 4.. et notam ^a ibidem.

auctoritate hujus sacræ sedis constituerunt; quia indignum est ut externis judicetur, qui provinciales et a se electos debet habere judices.

Irrita erit donacio episcopi, vel vendicio, vel commutacio rei ecclesiasticæ, absque collaudacione et subscripcione clericorum.

CXLIV. ROMANUM CONCILIUM.

Tempore Constantini Augusti, congregavit Silvester papa sinodum Romæ cum LXXIII. episcopis, quorum consensu et subscripcione constitutum est: 'Ut nullus laicus clerico crimen audeat inferre:' Testimonium ergo laici adversus clericum non recipiatur. Accusatores consanguinei, nec familiares, nec domo prodeuntes adversus extraneos testimonium non dicant: nec accusatores, nec testes suspecti recipiantur; quia propinquitatis, ac dominacionis, ac familiaritatis affectio, plerumque veritatem impedire solet: sed si voluerint, et invicem consenserint, inter se parentes testificentur, non in alios; amor enim carnalis, atque timor, et amaritudo, plerumque sensus hebetant humanos, et pervertunt opiniones.

CXLV.

Nullus monachorum præsumat judicare, nec accusacionem secularem in clericum audeat accipere; quod si quis probatur admittere, velut exactor * fœneris, aut usurarum possessor, * furoris xs. secundum statuta patrum, se senciat degradandum. In gravibus peccatis quis positus, dum suis premitur, aliena non diluit.

CXLVI. DE CONJUGIO ANTIQUO.

Satis igitur manifestum est, non posse filios Adam in primordio seculi uxores accepisse, nisi proprias sorores aut propinquas consanguineas; sed semper erat illicitum ab initio uxorem aut concubinam patris violare; unde Jacob patriarcha dixit filio suo Ruben: " Effusus es sicut aqua, non crescas; quia ascendisti cubile patris tui, et maculasti stratum ejus:' unde et Paulus Apostolus, doctor gentium, de tali sacrilego scripsit, dicens: ^b Auditur inter vos fornicatio, et talis fornicatio, qualis nec inter gentes, ita ut uxorem patris aliquis habeat. Et vos inflati

b I. Cor. v. 1, 2.

estis, et non magis luctum habuistis, ut tolleretur de medio vestrum, qui hoc opus fecit.' Ecce Apostolus judicavit de medio Christianorum auferri, qui novercam violare præsumpsit, dicens, nec inter gentes, id est, paganos, tale scelus fieri. Verum itaque est, et satis late patet, Deum Omnipotentem, in * Moysi Ms. lege * Moysis, prohibuisse uxorem patris, et fratris, et proximi accipere, aut cum ea concumbere; sed et hoc quod in Deuteronomio scriptum est, ut *frater, scilicet, accipiat uxorem defuncti fratris, et suscitet semen fratri suo, non carnaliter intelligendum est, sed spiritaliter tenendum: et valde cæcus doctor est, qui nescit discretionem inter Vetus Testamentum et Novum; sed adhuc errat cæcatus umbra antiquæ caliginis, nesciens veritatem gratiæ Christi, et nescit legem et prophetas usque ad Johannem Baptistam prophetasse; nam ipse Dominus ait: b Lex et prophetæ usque ad Johannem; a diebus autem Johannis Baptistæ usque nunc, regnum cœlorum vim patitur, et violenti rapiunt illud:' et quicunque cæcatus corde adhuc solam litteram sequitur cum Judæis, sine spiritu vivificante, et gratia Christi, perdurat manducans crustas panis, et non micas internas.

Magna distantia est inter litteram occidentem et spiritum vivificantem; et valde ignarus, et ignavus, et insipiens doctor est, qui post tot annos, et post tot tractatores, qui libros de lege * Moysi us. * Moysis tractaverunt, a Deo inspirati, adhuc judaizare vult. contemnendo Christum et omnes sanctos doctores. In Deuteronomio cenim legimus, ut quando habitaverint fratres simul, et unus ex eis absque liberis mortuus fuerit, uxor defuncti non nubet alteri, sed accipiet eam frater ejus, et suscitabit semen fratris sui, et primogenitum ex ea filium nomine ejus appellabit, ut non deleatur nomen ejus ex Israel. Sin autem noluerit accipere uxorem fratris sui, quæ ei lege debetur, perget mulier ad portam civitatis, et interpellabit majores natu, et dicet: Non vult frater viri mei suscitare nomen fratris sui in Israel. nec me in conjugium sumere: et statim arcessi eum facient. et interrogabunt eum: si responderit: Nolo eam uxorem accipere, accedet mulier ad eum coram senioribus, et tollet calceamentum de pede ejus, spuetque in faciem ejus, et dicet: Sic fiet homini qui non ædificat domum fratris sui: et vocabitur nomen ejus in Israel domus decalceati.'

[&]quot; Deut. xxv. 5.

b Matt. x1, 12,

c Deut. xxv. 5.

De hoc enim quod in Deuteronomio scriptum est, et in Evangelio, quod 'frater accepit uxorem defuncti fratris, ut suscitaret semen fratri suo,' non est Christianis tenendum carnaliter, sed spiritaliter. Christus ait in Evangelio: * Omnes autem vos fratres estis, et unus est pater vester, qui in cœlis est.' Et cum habitaverint fratres spiritales simul, et ille frater, qui præest ecclesiæ Dei, transierit de seculo ad Christum, accipiat tum frater ejus æcclesiam Dei regendam, et suscitet spiritales filios Deo, ne deficiente uno doctore, mortali condicione sterilis fiat sponsa Christi, quæ est mater omnium nostrum. quispiam doctor non vult regere æcclesiam, post obitum alterius doctoris, non curans de salute aliorum, sed de sua propria, erit tunc discalceatus, contra hoc quod Paulus dixit: b 6 Et calceati pedes in præparatione Evangelii pacis: et iterum: c 'Quam speciosi pedes evangelizantium pacem, evangelizantium bona.' Si non vult verbum Dei seminare, si potest, sed talentum Christi in sudario, hoc est, torpore ignaviæ suæ abscondere, erit consputus ab æcclesia in facie confusione dignus: d' projectus in tenebras exteriores, ubi erit fletus et stridor dentium.' Sed accipiat semper doctor post doctorem æcclesiam Dei regendam, usque in finem seculi, ut suscitentur spiritales filii Christo de sponsa sua virgine, sicut ipse instituit; quia qui non vult laborare pro Deo, non est dignus mercede.

CXLVII. CANON LAODICENSIS.

Ut nullus Christianus judaizare præsumat, sed nec conviviis eorum participare.

CXLVIII. ITEM.

Ut nullus Christianorum paganas superstitiones intendat, sed gentilium inquinamenta omnia omnimodo contemnat.

CXLIX. CANON BRACHAREN'.

Si quis paganorum consuetudinem sequens, divinos et sortilegos in domum suam introduxerit, quasi ut malum foras mittant, aut maleficia inveniant, vel lustrationibus paganorum serviant, v. annos peniteant.

^a Matt. xxIII. 8, 9.

c Rom. x. 15.

^b Eph. vi. 18.

d Matt. xxv. 30.

CL. CANON SANCTORUM.

Si quis Christianus Christianum hominem in manum Judæorum vel gentilium vendiderit, anathema sit; in Deuteronomio enim scriptum: ^a 'Si deprehensus fuerit homo sollicitans aliquem de genere Israhel et vendito eo acceperit pretium, interficietur.'

CLI. ITEM CANON SANCTORUM.

Nefas igitur est, ut quos Christus sanguinis sui effusione redemit, Judæorum vel gentilium vinculis sint irretiti.

CLII. DE TONSURA.

Exordium tonsuræ a Nazareis incepit, qui, crine servato, post vitæ magnæ continentiam, caput radebant, ut devotionem Domino consecrarent. In canonibus quoque sanctorum patrum scriptum invenimus: 'Si quis catholicus capillos totonderit more barbarorum, ab æcclesia Dei alienus habeatur, et ab omni Christianorum mensa, donec delictum emendet.'

CLIII. DE TONSURA PETRI.

Petrus itaque Apostolus clericali tonsura primo usus est, gestans in capite imaginem coronæ spinæ Christi; unde canon Affricanus præcipit, ut clericus nec comam nutriat, nec barbam.

CLIV. E CAN' ROM' DIC'.

Quicunque clericus visus fuerit in æcclesia sine colobio vel cappa; et si non more Romano capillos et barbam totonderit, excommunicetur; non debet etiam clericus indui se monachico habitu, nec laicorum vestibus uti; et vir, si utetur veste muliebri, excommunicetur; aut mulier, si virili utetur indumento.

CLV. ITEM.

Clericus quoque non debet armis uti, nec ad bellum procedere; quia canones docent, ut: 'Quicunque clericus in bello aut in rixa mortuus fuerit, neque oblatione neque oratione postuletur pro eo, sepultura tamen non privetur.' Apostolus

Deut. xxiv. 7.

quoque dicit: 'Nemo militans Deo implicet se negotiis secularibus;' unde non est liber a laqueis diaboli, qui se militiæ mundanæ voluerit implicare. Et ideo omnimodis dicendum est presbiteris et diaconibus, ut arma non portent, sed magis confidant in defensione Dei, quam in armis.

CLVI. ITEM.

Cavendum quoque est clericis, ut non sint judices in condemnatione hominis.

CLVII. ITEM.

Canonum auctoritas prohibet, ne quis episcopus aut clericus assensum præbeat in morte cujuslibet hominis, sive latronis, sive raptoris, seu homicidæ.

CLVIII. ITEM.

Statutum est, ut presbiteri indiscrete per diversa non mittantur loca, nec ab episcopis, nec ab aliis prælatis, nec etiam a laicis; ne forte propter eorum absentiam animarum pericula [oriantur], maximeque bmors infantum absque chrismate, et ecclesiarum [in quibus] constituti sunt, negligantur officia.

CLIX. CANON AFFRICANUS.

Omnes clerici, qui ad operandum sunt validi, et artificiola et litteras discant.

CLX. CANON CÆSARIEN'.

Duo igitur sunt genera clericorum; unum ecclesiasticorum sub episcopali regimine, alterum acephalorum, id est, sine capite; de quibus Gregorius dicit: 'Si qui clerici vulgares sunt, extra sacros ordines constituti, id est, nec presbiteri, nec diaconi, qui se continere non possunt, sortiri uxores debent, et stipendia sua exterius accipere: sacerdotes autem nequaquam uxores ducant, sed ecclesiam diligant, nec utantur bellicis armis, sed spiritalem militiam exerceant.'

^{*} Lectio dubia est, syllaba 'ant' solum manente.

b Absciditur a Ms.

CLXI. ITEM DE MILITIA.

Fratres, scitote quia divisa est potestas secularis et potestas spiritalis. Bonis enim secularibus decet, ut sint defensores ecclesiæ, et propugnatores gregis Christi; spiritalibus autem convenit, ut sint intercessores pro omni populo Dei: miles quidem Christi armis humanis uti non debet, ut testimonia multa declarant. Incipiamus testimonium a Deo et Domino nostro Jesu Christo, qui dum pro humano genere crucis vellet subire tormentum, et a militibus esset tentus, Petro prohibuit ne gladio pugnaret. Quod si ille non habuit licentiam pugnandi pro injuria Domino suo illata, quid rectius nobis est, quam ut ejus imitemur exempla? Intelligite ergo, quia non in asta solummodo et gladio salvat Deus, sed potius in assiduis orationibus et cæteris divinis servitiis. Sanctus quoque Christi confessor Martinus, dum a Juliano Apostata jussus fuisset militaria suscipere indumenta, dixit se Christi esse militem, et ideo non posse pugnare. De libro quoque Exodi utile habemus exemplum; scilicet, dum pugnaret Josue adversum Amalech, Moyses non armis pugnabat, sed extensis palmis ad cœlum Deum orabat, et vincebat Israeliticus populus; ut autem remittebat manus, invalescebat Amalech. His et aliis multis declaratur exemplis, episcopum, presbiterum, diaconum, vel monachum, nulla portare arma in prælio, nisi tantum ea de quibus legitur: 'In omnibus sumentes scutum fidei, in quo possitis omnia tela nequissimi ignea * extinguite, et galeam salutis assumite, et gladium spiritus, quod est verbum Dei.' Contrarium itaque omnino est ecclesiasticis regulis, post ordinationem redire ad militiam secularem.

extinguere ws.

CLXII. DE HOMICIDIO, INSTITUTIO SANCTORUM.

Si presbiter vel diaconus homicidium fecerit, degradetur, et usque ad exitum vitæ peniteat.

CLXIII. ITEM.

Si quis clericus homicidium fecerit, x. annos exul peniteat; III. ex his in pane et aqua; post hæc recipiatur in patriam, si bene egerit penitenciam, testimonio comprobatus episcopi, vel sacerdotis, vel cui commissus fuerit, quod bene penituit, et satisfaciat parentibus ejus quem occidit; si autem non satisfecerit parentibus illius, nunquam recipiatur in patriam, sed more Cain vagus et profugus sit super terram. Si vero homi-

cidium casu fecerit, id est, non volens, v. annos peniteat, III. ex his in pane et aqua. Si ad homicidium consenserit, et factum fuerit, vII. annos peniteat, III. ex his in pane et aqua. Si voluerit, et non perfecerit, I. annum peniteat. Si quis percusserit, et sanguinem fuderit, xL. diebus in pane et aqua peniteat; si diaconus, vI. menses; si presbiter, annum unum. Si laicus laicum occiderit xL. dies abstineat ab æcclesia, et jejunet in pane et aqua; et post, ut sacerdos judicaverit, peniteat.

Ab antiqua manu superscribuntur sequentia: 'vel v. carinas, vel plus minusve;' et postea: 'vel vII. carinas.'

CONFESSIONALE ET PŒNITENTIALE

ECGBERTI,

ARCHIEPISCOPI EBORACENSIS.

CONFESSIONALE.

• DER ONGINNAÐ ÐISSE BOLE LAPITULAS: ÐE PE DATAÐ SERIFT-BÓL

- DAS EXPITULAS ELEBYRDT ARCEBISCEOP ON EOFORPIC APENDE OF LEDENE ON ENELISE DET DA UNIC-LÉREDAN DIT COLDTON DE ED UNDERSTANDAN:
 - i. Be pær mærre-preorter zerceabpirnýrre:
 - 11. Dom be manezum rynnum:
 - 111. Be birceoper roplizpe:
 - iv. Be mæffe-ppeofter ropligne:
 - v. Be pam racepbe pe hine rylfne bermîc punh unryfne rpnæce oppe punh ænize oppe unlurcar:
 - vi. Be pam preorte pe coppyrno culpiliter con neobe hir cane:
 - vii. Be unrullobon mærre-ppeorte- 7 be pam be he rullobe:
 - viii. Be birceope т mærre-ppeorte ре hýna háb ronleorað:-
 - 1x. Be pam racepbe ponne he mærrað. hpær he on him hæbbe:
 - x. Be racepbe zir he hir calic azyr. J be sere sep hurl-zanze:
 - xi. Be preorte zir he høæt myceler conrele:
 - xii. Be biacone j munuce zir hiz hi ropliczon:
 - xIII. Be munuce 7 be mynecenon zir hiz hi ropliczon:
 - xiv. Be lépebum mannum zir hiz hi ropliczon:
 - xv. Be unpihtum bæbum zeonzpa manna:
 - xvi. Be monao-abler hæmebe. 7 be oppum unpiht-hæmebe:
 - xvII. Be hæþenna manna hæmeb-pingce j be þam de nýtenbe beoð túpa gerullobe j be þam de beoð gerullobe rham unniht-hæmenbum mæffe-pheorte j be þam de beoð túpa hýpa rýlr-piller gerullobe:
 - xvIII. Be pam p pen mor his pise on sulpihre onson 3 p pis pam pene:

^{*} Textus ex O. sumitur.

CONFESSIONALE ET PŒNITENTIALE

ECGBERTI,

ARCHIEPISCOPI EBORACENSIS.

CONFESSIONALE.

HIC INCIPIUNT HUJUS LIBRI CAPITULA, QUEM LIBRUM CONFESSIONALEM VOCAMUS.

- HÆC CAPITULA ECGBERTUS, ARCHIEPISCOPUS EBORA-CENSIS, VERTIT EX LATINO IN ANGLICUM, UT INDOCTI EA FACILIUS INTELLIGERE POSSENT.
 - 1. De presbyteri prudentia.
 - 2. Judicium de variis peccatis.
 - 3. De episcopi fornicatione.
 - 4. De presbyteri fornicatione.
 - 5. De sacerdote qui seipsum impuro sermone, vel quibuscunque aliis libidinibus polluit.
 - 6. De presbytero qui baptizare detrectat, propter necessitatem itineris.
 - 7. De non baptizato presbytero, et de iis quos baptizaverit.
 - 8. De episcopo et presbytero qui ordinem suum perdunt.
 - 9. De iis quibus indutus esse debet sacerdos, cum missam celebrat.
- De sacerdote, si calicem suum effundat, et de cibo ante eucharistiæ acceptionem.
- 11. De presbytero, si aliquid magni pretii furetur.
- 12. De diacono et monacho, si fornicentur.
- 13. De monacho et monacha, si fornicentur.
- 14. De laicis, si fornicentur.
- 15. De pravis factis juniorum.
- 16. De coitu in menstruali tempore, et de alio pravo coitu.
- 17. De gentilium hominum matrimonio, et de iis qui inscientes bis baptizati sunt, et de iis qui a fornicante presbytero baptizati sunt, et de iis qui bis sua sponte baptizati sunt.
- De eo, quod vir uxorem suam in baptismate suscipere possit, et uxor virum.

xix. Be peper 7 be pirer zehare:

xx. Be pam de pepe ne zebarenad p he hir pîr nacobe zereo- j be pam de he hæman ne mæze:

xxi. Be unpihelicum hæmebum:

xxII. Be mænizrealbum mond-rlihvum:

xxIII. Be birceoper 7 mærre-ppeoreer 7 munecer rlihte:

xxIV. Be mirlicum man-rlihte:

xxv. Be zebpoppum hû zeribbe pîr hiz habban môcon. j be manezum oppum pinzum:

xxvi. Be pener preale ærten hæmebe:

xxvII. Be cnihrum j be mæbenum on hpýlcepe ýlbo hi môron hýpa rýlfpa pealban:

xxviii. Be pam hû zerýbbe men hæman j hû lanze pîr reyle pen ronzan ponne heo mis cylse bis:

xxix. Be pire zir heo opý-chære bezæð:

xxx. Be pire zir heo hipe cylb ponne hit acenneb bið mib bpychærte acpelő:

xxxi. Be pam pîre pe hipe cỳlò acpelő j be hurlzange j blôbpizene:

xxxII. Be onfægonýffe reonbum. J be piece-chæfte þæn man conn bænnö:

xxxIII. Be pîrer picce-cpærte- j be pam zir heo hiz fopliző- j be hipe beháte ærtep hýpe pepe:-

xxxIV. Be manad-rpape:

xxxv. Be Sunnan-bæger unpihe peopeum:

xxxvi. Be munecer mærran-range- j læpebpa manna:-

xxxvii. Be girmanna hurl-zanze:

xxxvIII. Be fîxon- j be fuzelon- j be hôprun- j be pilo-beoponhpylce to piczenne rynt:

xxxix. Be beon zir hi mannan officiate j be manezum pingum:

xL. Be apiblebum rpynum. 7 be obnum unclenum nycenum:

xli. Be See Dionifiur cpybum- 7 See Augustinur cpybum:

Donne man to his schirt gangeð þonne sceal he mið spýðe mýcelum Isoder ege y eadmódnýsse besonan him hine aþeniang hine biddan pépendne sterne. Þ he him dæddóte tæce eallaa þæna gýlta þe he ongean Isoder pýllan gedón hæbbe. y he sceal him anddettan his mistæda. Þ þe sacend píte hpýlce dæddóte he him tæcan scýle. Donne sceal se sacend hine acsian hpýlcne geleasan he to Isode hæbbe. y hine mænissealdlice tihtan to his saple þeasse y mýngian y þur cephan-Iselýsst þu on Isod Ælmihtigne. y on þone Sunu. y on þone Dalgan Isast. Iselýsst þu þ ealle menn scýlon anísan on dómes dæge og deaþe. Osþinceð þe ealles þær þe du to ýsele

- 19. De viri et mulieris promisso.
- 20. De eo, quod virum non deceat uxorem suam nudam videre, et de eo, quod coire nequeat.
- 21. De pravis coitibus.
- 22. De diversis homicidiis.
- 23. De episcopi, et presbyteri, et monachi occisione.
- 24. De variis homicidiis.
- 25. De fratribus, quam prope cognatas uxores habere possint, et de multis rebus aliis.
- 26. De viri lotione post coitum.
- De adolescentibus et puellis, in qua ætate seipsos gubernare possint.
- 28. De eo, quam prope cognatis coire liceat, et quamdiu mulier gravida a viro se abstinere debeat.
- 29. De muliere, si artem magicam exerceat.
- De muliere, si infantem suum, postquam natus est, arte magica occiderit.
- 31. De muliere quæ infantem suum occiderit; et de eucharistiæ acceptione, et esu sanguinis.
- 32. De sacrificio dæmonibus; et de veneficio, ubi aliquis grana comburit.
- 33. De veneficio mulieris; et de eo, si illa fornicetur; et de voto ejus post viri sui [obitum].
- 34. De perjurio,
- 35. De profanis operibus die Dominico.
- 36. De missæ cantu pro monacho, et pro laicis.
- 37. De mulierum acceptione eucharistiæ.
- 38. De piscibus, et de avibus, et de equis, et de feris, quænam comedenda sint?
- 39. De apibus, si aliquem pungunt, et de multis rebus.
- 40. De inquinatis porcis, et de aliis impuris animalibus.
- 41. De Sancti Dionysii, et Sancti Augustini dictis.

Quando aliquis confessorem suum adierit, tunc, cum maximo timore Dei et humilitate, coram eo se prosternere debebit, et eum flente voce rogare, ut sibi pœnitentiam præscribat omnium eorum delictorum, quæ contra Dei voluntatem fecerit; et debebit ei malefacta sua confiteri, ut sciat sacerdos qualem pœnitentiam ei præscribere oportebit. Tunc sacerdos eum interrogare debebit, quamnam fidem in Deum habeat: et eum vario modo hortari, ad animæ suæ necessitatem, et admonere, et ita dicere: Credisne in Deum Omnipotentem, et in Filium, et in Spiritum Sanctum? Credisne omnes homines resurrecturos esse a morte in die judicii? Num te pœnitet omnium

hæfft gepopht gecpeden y geboht. Pýlt þu rongýran ælcon þæna de pid þe ærne agylton. Eir he cpýd. ic pýlle. cped him bænne to. Loo Elmihtiz zemiltjize bin. y me zeunne b ic mote. Fært ælce bæge on bir lengtene to noner y гопданд hpit- ч bebeonh þe pið þa eahta heah rýnna. þ þu pa ne rnemme. p rynt monbun. y rtala. y méene abar. y zýtrunz· y unpiht-hæmedu· y zýrepnýr· y tælnýrre· y leare zepitnýrre. 4 healó þa tpelr ýmbnen-bazar þe on tpelr monoum beoo. 4 bebeoch be pio lyblacar. 4 attor-chæftar. y δýpne zelizepu. y τρή-γρηθεσήγγε. y ofenmodnýrre. y χύηηψητε οδηα manna æhta. þu δe bebeonh pið ealle þar. y lura l'inne Duhten mid eallum môde. y mid eallum mæzene. 4 eallum mihtum. 4 mid ealpe innependne heontan ræptlice. y beo eanmum mannum milbe· y manppæne· y ælmýr-zeonn· y cýpic-zeopn y teopunz-zeopn to Iroder cýpicean y eapmum mannum. ponne bið þe Irod hold y milde y bliðe. y þu mort mid him bonne picrian on ealpa populda populd. á butan ender zir bu bur derer y ic bidde be b bu arecze me eall b pu to yrele ærne zeponhtert. ronban betene ir be β be rceamize nú hen beropan mê anum ynmingce bonne ert ¹beropan Irode on þam mýcelan ббте- þæp heoron-рари- ч eonő-panu. 4 hel-panu beoð ealle zeromnode. þæn úr nepize Pealbenb une: /

1. Đæt gebapenað ælcum racepbe þonne he mannum pærten rcpipeð. Þ he pite hpýlc re man rig. thum þe unthumpelig þe þeapra. hú geong he rig. oððe hú ealð. hpæþen he rig geháðoð þe læpeðe. y hpýlce hpeope he hæbbe. y hpæþen he rig hægræalð þe hæmeð-ceopl. On eallum mannum behorað gerceáðpirnýrre. Þeah ðe hi gelice rýnene rpemmennúcum mannum man ræal rthangon béman þonne þam heanumærten canoner bóme:

11. 2 Deodopur re shalza y re zoda' birceop zerette par

² Be Deoboper zeretnyffe hû man fceall færten alyfan. Rubr.

^{1&#}x27; on bômer bæge beropan Kobe rylrum þæp eall heoron-papuj eopö-papu- j hel-papu beoð ealle ærromne þæp eall open bið þ pe hep on populbe bôð oððe zepencað beo hir zób beo hir yrel ælcon men þæp zebémeb byð be hir azenum zehpyphrum þæp ur þonne zenepize pealbenb eallpa. X.

X. add.

^{3/} méepa. X.

^a D. post 'rýpene' addit 'ne,' male, ut

eorum, quæ tu male fecisti, dixisti, et cogitavisti? Visne remittere omnibus eorum, qui unquam in te peccaverunt? Si dixerit volo; tunc ei dicat: Deus Omnipotens tui misereatur. et mihi concedat ut ipse possim. Jejuna quotidie hoc quadragesimali tempore usque ad nonam, et abstine te ab albo, et cave tibi ab octo capitalibus criminibus, ne ea committas: hæc sunt Homicidium, et Furtum, et Perjurium, et Avaritia, et Fornicatio, et Cupiditas, et Detractio, et Falsum Testimonium; et observa duodecim jejunii solennis dies, qui in duodecim mensibus sunt et cave tibi a maleficiis, et veneficiis, et fornicatione, et biloquio, et superbia, et cupiditate aliorum hominum possessionum: cave tibi ab his omnibus, et dilige Dominum tuum ex toto animo, et omni virtute, et omnibus viribus, et ex toto corde intimo firmiter. Et esto pauperibus benignus et mitis, et eleemosynas libenter erogans, et ad ecclesiam libenter frequens, et sedulo decimas erogans ecclesiæ Dei, ac pauperibus; tunc erit tibi Deus propitius, et benignus, et mansuetus; et tunc poteris cum ipso regnare in seculo seculorum, absque fine, si ita feceris. Et oro te, ut mihi narres omnia quæ unquam male fecisti; quoniam melius est tibi nunc hic coram me solo misero pudefieri, quam posthac ¹coram Deo, in magno judicio, ubi cœlicolæ, et terricolæ, et inferi omnes congregabuntur, ubi servet nos Dominus noster.

1. Convenit cuilibet sacerdoti, quum jejunium hominibus injungit, ut sciat qualis homo sit, validus an invalidus, dives an pauper, quam juvenis sit, vel quam senex, utrum ordinatus sit an laicus, et qualem pœnitentiam habeat, et utrum cœlebs sit an uxoratus. Erga omnes homines discrimine opus est, etsi similia crimina committant: potentes severius judicandi sunt quam humiles, juxta sententiam canonis.

2. Theodorus, sanctus et bonus episcopus, instituit hanc

in die judicii, coram Deo ipso, ubi omnes cœlicolæ, et terricolæ, et inferi congregabuntur; ubi omnia erunt manifesta, quæ hic super terra egimus aut cogitavimus, sit bonum sit malum; ubi quisque judicabitur secundum opera sua; ubi tunc servet nos Dominus omnium.

De Theodori Instituto, quomodo quisque jejunium redimere debeat.

nædinze to býrene y to láne ælcum þæna þe hir zýltar pið Lod bêcan pýlle. 4 þur cpæð. Pe pæddon on þam *Penitentiale p man recolde don debbote ron hearodicum zyltum zean oδδe τρά οδδe bneo. on hlare y on pætene. y be bam lærrum zýltum pucan obše monob eall be zelicon ac þir ir mid rumum mannum rpybe zeandyne binz y eaproblic binz. rondiz pe pýllad tæcean mid hpýlcum binzum hit alýran mót rede pir rærten zelærtan ne mæz. p ir. p he rceal mid realm-range. 4 mid ælmýr-bædum. bốn bæbbốte rpýbe slange. y rede eall zerýllan mæz β on þæpe bêc zecpeden ir β bið rpýðe χόδ 4 hit bið niht endebýndnýr. 4 reðe ne mæz zerinze he riguiz realma³ be endebyhonyrre on cynicean. obbe on obne dizolpe rtope. 4 rede revle ane pucan on hlare 4 on pærene dædbore don. ringe he breo hund realma encopigende. oboe . IIII · hund 4 tpentiz butan encopunge · eallypa hit hen buran zecpeden 17. 4 rede reyle monod dedbote don on hlare 4 on pæcene. rynze he tpelr hund mid cneopunza. obbe butan cneopunge þurenð y rix ⁴hunð y hundeahtatig.⁵ y ælce ðæge zeneondize him to mid-dæzer buton Podner-dæze y Fnizedæge ponne he rceal rærtan to noner y frongange rlære y pin. \$ 17 ælcer cynner opine be man mæg 7 pope-opuncnigan. 4 bnuce him obenna metta 8 ryylce he bonne hæbbe / ærten bam de he zerunzen hæbbe. 4 rede realmar ne cunne ne rærtan ne mæge- zedæle he æzhpýlce dæge ænne pennincz obbe penizer pynb beaprendum mannum. 4 on ælcene pucan rærte he ænne dæg to noner. 4 odenne to ærener. 4 bnuce pær de he hæbbe eallrpa hit buran zecpeden ir. And rede rcyle an zean byllice δωδούτε δών bonne zebæle he •xxvi• rcyllinga on ælmyrran. 4 on æzhpylcene pucan rærte . 11. bazar eallrpa hit buran zecpeben ir y armeaze on ham hum lengceenum hpæt hir bigliren rý. 4 dæle þ healf on ælmýrran. On ham obnum geape man mor lihran hir bæbbore rnam Dnihtner zebýno-tíde oð tpelrtan δæχ. 4 rnam Cartnon oð Pentecortén. And re man be ne mæze bæbbóte bón hir rýnna. rpa hit buran zecpeden ir. zedæle he on bam ronman

n mið zebeðum. Y.add. ² langne rypro X. Y.

³ j zecneopize ær ælcon heopa. j zir he ponne zecneopian ne mæze-jinge hund-jeoponiz jealma. X. Y. add. 40. omit. X.Y. add. ⁵ realma X. add.

 ⁶ popgán O. popgange X.Y.
 ⁷ popebnuncen beón X. oppnuncen beón Y.

^{8&#}x27; rpylcena rpylce him Lob rylle X.Y.

⁹ bizleora X. Y.

lectionem, in exemplum et doctrinam omnibus illis qui delicta sua erga Deum emendare velint, et ita dixit: Legimus in Pœnitentiali, quod pœnitentia agenda sit, pro capitalibus criminibus, annum, vel duos, vel tres, in pane et aqua, et pro minoribus criminibus, hebdomadam, vel mensem, omnibus similiter; sed hoc apud nonnullos res ardua est et difficilis: ideo docere volumus quomodo hoc redimere possit, qui jejunium hoc servare nequeat; id est, ut psalmorum cantu et eleemosynis, valde diu pœnitentiam agere debeat; et qui omnia implere possit quæ in illo libro dicta sunt, valde bonum est, et rectus ordo; et qui non possit, cantet quinquaginta psalmos juxta ordinem, in ecclesia, vel in alio semoto loco. Et qui unam hebdomadam jejunare debeat in pane et aqua, cantet trecentos psalmos genufiectens, vel quadringentos et viginti sine genuslexione, prout supra dictum est. Et qui per mensis spatium pœnitentiam agere debeat in pane et aqua, cantet mille et ducentos cum genuflexionibus, vel sine genuflexione mille sexcentos et octoginta; ac quotidie se reficiat ad meridiem, exceptis diebus Mercurii et Veneris, quando jejunare debet ad nonam, et abstinere se a carne et vino, hoc est, omnis generis potu quo quis inebriari possit, et utatur aliis cibis, quales tunc habeat, postquam cantaverit. Et qui psalmos non novit, nec jejunare potest, distribuat quotidie denarium unum vel denarii valorem pauperibus; et quaque hebdomada jejunet unum diem ad nonam, et alium ad vesperam, et utatur eo quod habeat, prout supra dictum est. Et qui annum unum talem pœnitentiam agere debeat, distribuat xxvi. solidos in eleemosynas, et quaque hebdomada jejunet 11. dies, prout supra dictum est; et computet per tres quadragesimas quanti victus ejus sit, dimidiumque in eleemosynas distribuat. Secundo anno licebit homini levare pœnitentiam suam a Nativitate Domini ad Epiphaniam, et a Paschate ad Pentecosten. Et homo qui non potest peccatorum suorum pœnitentiam agere, uti supradictum est, distribuat in primo anno xxvi. solidos in eleemosynas, et secundo xx., et tertio xvIII., qui sunt sexaginta

et inter singulos eorum in genua procumbat; si autem in genua procumbere nequit, septuaginta psalmos cantet.

^a Theod. pp. 61, 67.

zeane ·xxvi· rcyllinza on ælmýrran· 4 on þam oðnum ·xx• η on þam þpiððan «xviii» β rýnd reopen η rixtiz rcýllinga. And pite re pica man be him Lod hærd micelne pelan y æhta þýrer lírer to-roplæten. hú he reyle hir hearodhcan zýltar bétan. ¹L'enime him p zodrpell y pæde þæpon- hú Zachéur pro Dpihten rppæc. þa he hine to zepeópoe on hir hur onreng pa clypode he to him y pur cpæ6. Dnihten ealpa minna zóda ic rýlle healpne dæl þeappum. 4 zir ic þunh unpilt rach senzum men alt sethpsel. I ic ropzylle reopenrealblice. And ha zecapnobe he rnam Dnihtne to zehýnenne. To-bæz ir þýrre hippæbenne hæl zepopben. Þir ealpa rýnna And to-eacan byrum zodum peoncum be pe ronzýrennýr. hen buran zecpeden habbad. rnedze he peope men y alyre pa őe on hærd-nýde rýnt∙y or þam dæze þe he hir unnihtan peope roplæte. ne zeedlæce he hiz ert na. þe lær þe he riz zeanlicod jam hunde je rpyt j he sep arpap. And j nir na to ropletenne p re Aportol cpæd. Sede puph hir lichaman zerýnzie· he eac þuph hir licháman hit zebéte· þ ir on rærtene. y on pæcceum. y on zebébum. y on halrunzum to Irobe mid heoptan onbpyponyrrum. y mid teana azotennýffe:

Seo Epiyrte popletennyr if rypena rulpiht feo ertepe if Loder luru feo pludde if elmyfran luru feo people if teapa azotenyr on zode hpeope feo firte if andetnyr rypena. Feo ryxte if zerpencednyr heoptan y lichaman on zepinnum y reftenum. Feo feorode if halizha zebeda for hone fypenfullan feo nizode if mildheoptnyr y zod zeleafa feo teode if man odenne hpypre fram rypenum to Loder pillan feo enlyfte if zod forzyrennyr. Hugh halizha feod hif fypena him forzife feo teolfte if mantyphad. Fra ham rceahan peand et Epister phopunze:

111. *Birceop zir he hine deannunza roplicze. ærten canoner dome rærte he *x11. pinten. y ælmyrran rýlle rpyde. y on teana azotennyrre bidde him Itoder ane. Sume pyllad h he riz ert unhadod:

IIII. * Compre-preort zir he hine roplicze. rærte . III. pinten.

 $^{^{1}}$ zemûne Y.

quattuor solidi. Et sciat vir potens, cui Deus multas opes et possessiones hujus vitæ concrederit, quomodo ei crimina sua capitalia emendanda sint: sumat Evangelium, et in eo legat, quemadmodum Zacheus cum Domino locutus est, quum ad prandium eum in domum suam susceperat; tunc invocabat eum, ita dicens: 'Domine, omnium meorum bonorum do dimidiam partem pauperibus: et si per injustam fraudem alicui aliquid abstuli, id reddo quadruplum.' Et tunc a Domino promeruit audire: 'Hodie domui huic salus facta est: id est omnium peccatorum remissio. Et præter hæc bona opera, de quibus supradiximus, liberet servos homines, et redimat eos qui in captivitate sunt; et ab illo die quo injusta sua opera dereliquerit, ne repetat illa postea, ne adsimuletur cani, qui devorat quod prius evomuit. Neque negligendum est illud quod Apostolus dixit: 'Qui per corpus suum peccat, per corpus suum etiam emendet;' id est jejunio, et vigiliis, et orationibus, et precibus ad Deum, cum compunctione cordis, et cum lacrymarum effusione.

Prima remissio est peccatorum baptismus; secunda est amor Dei; tertia est desiderium eleemosynarum; quarta est effusio lacrymarum in vera pœnitentia; quinta est confessio peccatorum; sexta est afflictio cordis et corporis laboribus et jejuniis; septima est ut homo mores suos corrigat coram Deo; octava est preces Sanctorum pro peccatore; nona est misericordia et bona fides; decima est ut homo alium a flagitiis ad Dei voluntatem convertat; undecima est bona remissio, ut per hanc Deus ei peccata ejus remittat; duodecima est martyrium, sicut latroni fuit ad Christi passionem.

- 3. Episcopus, si fornicatus fuerit, juxta sententiam canonis, xII. annos jejunet, et eleemosynas reddat largiter, et cum lacrymarum effusione veniam a Deo petat. Nonnulli volunt ut denuo ordine careat.
 - 4. Presbyter, si fornicatus fuerit, 111. annos jejunet, et tribus

y ·III · &-pærtenu on pucan rærte he ·II · bazar to ærener. Inr he 'pið nunnan hæme · riz him hir rærten þe rpiþon zeiceð · þ ir ·vii · zear.'

v. *Sacepò peče þunh unrýppe pppæce. ošče þunh zerýhče. ošče pceapunza píper hine bermíteð. y ne zereopmize hine-pæpte ·xx. daza.' Seče mið hir pillan bið bermiten prýðlice-pæpte he ·c. daza. beče onpillan hir plæper bið bermiten-apípe he yarinze paltene pealma. y on monzen dó hir hleón ·xxx. piðum to eopðan. Seče bið butan pillan bermiten-ošče peče pillende on plæpe zerýpenað. pinze ·xxiii. pealma.' Inp man on cipicean plæpende hir pæð azeóte. *apípe yarinze paltene.' *Sacepð zip he mið hir lurte pípman cýppe-hpeoprize þ ·xx. daza.' *Sacepð zip he bermiten piz. þý þe he pípe onhpíne. pæpte ·xl. nihta. pume pillað ·xxx.' *Sacepð zip he mið handa hpýne. pæpte ·iii. pucan.' beðe þonne zelóme þýpne zelizen piemme. canon démeð þ he pæpte ·x. pinten. pume pillað ·vii. y mið zeþeahte ·iii.:'

vi. 'Spa hpýlc ppeopt ppa on hir ázenne frcýne obbe on hpýlcene obne ránenbe býb. y hine man on hir rône rulpihter bibbeb. y he pýnne ron ôrrte hir rône. y re man hæþen rpelter rý he unhábob:

vII. Espa hpýlc mærre-ppeort reše píte p he únrullos rý. rullize man hine. y ealle pa še he sep rullose. Papa on

```
1 mis Y. y.1111. sagar pærte Y.Bx.
```

Papa on Rome rpa-peana zerette peh de re mærrene rynrul rf-

⁸ Lif bifceop obbe mæffe-ppeoft Y. Bx.

⁴ Sede oft puph progressings Bx.] his genotice sede ageored $\cdot xx \cdot [\cdot xl \cdot Bx]$ baga serve. X.Y.Bx.add. Lie he est geoge serve $\cdot xl \cdot baga.X.Y.add$.

^{5 ·} xx · baza Bx.

7/ ¬ man zeacrize Bx.

^{8&#}x27; halgie. [ry he ponne ert zerullos] zetrymes mis birceoper bletrunge. Bx.]] ha men he he æn rullose rullize hy man ert pra hit zerette an Papa on Rome. † zir re ppeort rynrul ry obse hæpen-zerullize man hine. Y. Bx.

a Th. xxvIII. 19.

c' Ib. xxvIII. 29.

e' Ib. xxvIII. 8.

b/ *Ib*. xxviii. 25, 26.

d' Ib. xxvIII. 22.

[&]quot; Ib. xxviii. 22.

legitimis jejuniis duos dies per hebdomadam jejunet usque ad vesperam. Si cum moniali fornicatus fuerit, multo auctius sit ei jejunium, id est per vII. annos.

- 5. Sacerdos qui per turpiloquium, vel per visum seu aspectum mulieris, se coinquinaverit, et se non mundet, xx. dies jejunet. Qui sua voluntate admodum coinquinatus fuerit, c. dies jejunet. Qui invitus in somno fuerit pollutus, surgat et cantet psalterium psalmorum, et crastino die vultum suum xxx. vicibus ad terram inclinet. Qui præter voluntatem fuerit coinquinatus, vel qui volens in somno peccaverit, xxIIII. psalmos cantet. quis in ecclesia dormiens semen suum effuderit, surgat, et psalterium cantet. Presbyter, si osculatus est feminam per desiderium, xx. dies pæniteat. Sacerdos, si coinquinatus fuerit, eo quod mulierem tetigerat, xL. dies jejunet; nonnulli volunt xxx. Sacerdos, si desiderio cogitationis coinquinatus fuerit, hebdomadam jejunet; si manu tetigerit, 111. hebdomadas jejunet. Qui autem crebro fornicationem commiserit, canon judicat ut x. annos jejunet; nonnulli volunt vII.; juxta concilium vero III.
- 6. Quicunque presbyter in propria provincia sua, vel in quavis aliena iter faciat, et in itinere ejus baptisma aliquis ab eo flagitet, quod ille festinandi itineris sui causa deneget, et homo gentilis moriatur, ordine suo privetur.
- 7. Omnis presbyter, qui noverit quod non sit baptizatus, baptizetur, et omnes illi quos antea baptizaverat. Papa

Qui sæpe præ violentia cogitationis suæ semen fuderit, xx. dies jejunet. Si postea fecerit, xL. dies jejunet.

et cognoscitur

et consecrentur; [tunc iterum baptizetur et confirmetur, cum episcopi benedictione,] et homines quos antea baptizaverit, denuo baptizentur, prout statuit Papa quidam Romanus; quod si presbyter peccator sit, vel ethnicus, baptizetur.

Papa Romanus tamen statuit, si presbyter, vel quicunque fuerit

g' Ib. xxviii. 23. i' Ib. xliii. 2.

h' Ib. xvi. 5. et n. 3. k' Ib. xxxviii. 5.

Rôme recte beah be re mærrene rynrull ry obbe hæben. bær Dalkan Karter benung pæne on bæne gyre bær rullpihter rpa-beah. naller bær manner:"

vIII. Lir hpá háð ronleore. mærrene oððe birceop. rý he on hneope of dead. If hir rapl lybbe. Sacend zir he man rlea. obbe beannunga hine ronlicge. rig he or hir habe apoppen. zir he man zepundize. rærte .c. daza:

ix. 618acend bonne he mærran ringe ne hæbbe he on heben ne cæppan. ac zir he zobrpel næbe lecze him on þa rculonu :/

x. Sacend zir he hir calic azeote bonne he hæbbe mærran zerunzen. rærte .xxx. nihta. Sebe éte æpþam þe he to hurle zá. 4 ærcen þam þe he hurl þicze. rærce .vii. niht:/

xi. da Lir preoro mycele reale ropreele pærce v pincep. obbe rpa him birceop tece:

obde oden man rede rullobe. † pær Dalgan Larter penung pæpe in bæpe zire bær rulluhter rpa beah nalær bær manner in chirtnunge-] on δam rulluhte an ræben mæz beón zýr hit nýb-þeanr bið. mót re oðnum onrón reðe him bið unrullob oððe unrpýmeb. Χ.

Ppeort X.— Spa hpyle rpa pile æt mærre-tibum lectioner [pæbinge Y.] pæban obbe perpont ringan ne bib he nybeb to pon h he him orog hir oren-hacelan obbe heben ac zyr he euanzelium [zobrpel Y.] pæbe pyppe him or heben obbe cappan on hir zereylopo. X.Y.

2/ pæne hob oren pa rculopa. X. Et proxime post in X. et Y. habemus capitula sequentia: Mærre læpebna manna ppipa on zeane man beð þý þnibban bæge j þý nizoðan j bý bneoteoban *ronan to dan' pe Chift apar by dhibban bæze j in dæne nyzodan tibe hir zajt onjenbe j ·xxx baza Ijpahele heorobon Moyjen. « Muneca mæjjan man môt jingan zehpylce junnan-bæze j heopa naman pæban. Romane ne pæbað þapa manna naman on junnan-bæze æt

mærran.'

3' h Lýr man mýcelne þýrðe rongtele reoðen-rót [reðen-rete Y.]

1 page. tærte an zean.'] rongýlbe neat hopr odde hpyder odde hir brece pærte an zear j ropzylbe he roprtolen hæbbe odde ii. zear pærte. Lir mapan rtalan roprtole pærte iiii pintep odde [iii zer odde tpa V.] rpa him hir repirt beme. X. V. 'Lir hpa roprtole erne odde mannan pærte

·II. pincen. Y.

*/ L roppan.

e/ Ib. xLVIII. 5.

[₩] *Ib.* xLVIII. 5.

d 16. xxiil 2.

[&]quot;/ Ib. xLv. 13.

Romanus statuit, etiamsi presbyter peccator sit vel gentilis, ministerium Spiritus Sancti esse nihilominus in gratia baptismi, non hominis.

- 8. Si quis ordinem perdiderit, presbyter vel episcopus, pœnitentiam agat usque ad mortem, ut ejus anima vivat. Sacerdos, si hominem occiderit, vel fornicatus fuerit, ordine suo privetur; si hominem vulneraverit, c. dies jejunet.
- 9. Sacerdos, cum missam cantat, ne portet cucullum nec cappam; si autem Evangelium legat, super humeros ponat.
- 10. Sacerdos si calicem effundat postquam missam cantaverit, xxx. dies jejunet. Qui edit antequam eucharistiam acceperit, et postquam eucharistiam sumserit, vII. dies jejunet.
- 11. Si presbyter furtum magnum commiserit, v. annos jejunet, vel prout episcopus ei præscripserit.

qui baptizaverit, peccator esset, ministerium Spiritus Sancti esse nihilominus in gratia baptismi, haudquaquam hominis in baptizando. Et in baptismo unus sponsor potest esse, si necesse sit. Non licet ei alium suscipere qui ipse non baptizatus, vel non confirmatus sit.

Quicunque tempore misse lectiones legere vel responsiones cantare velit, non necesse est ei cappam suam vel cucullum exuere; si autem Evangelium legit, cucullum vel cappam super humeros dejiciat.

Missa laicorum [mortuorum] ter in anno celebratur, tertia die, et nona, et tricesima, quia surrexit Christus tertia die, et nona hora spiritum suum emisit, et triginta dies Moysen planxerunt filii Israel. Missam monachorum quoque die Dominico cantare licet, et eorum nomina recitare. Romani nomina eorum hominum die Dominico missæ tempore non recitant.

Si homo magnum quid furatus fuerit, animal quadrupes, equum, vel bovem, vel domum effregerit, annum unum jejunet, et quod furatus fuerit, reddat, vel 11. annos jejunet. Si majus aliquid furatus fuerit, 1111. annos [111. annos, vel 11.] jejunet, sicut ei confessarius ejus injunxerit. Si quis servum vel hominem furatus fuerit, 11. annos jejunet.

s' Ib. xLv. 11.

[▶] 16. xxIII. 13.

xIL Diacon zir he hine roplicze. ræpte .III. pinten. 4 eallrpa munuc. zir he beann zerchýne rærce he be rpýčon. rpa him birceop lodde déman técan. And unhádod man 4 ungemunecoo. zir he hine roplicze. rærte .xii. monoo. zir he beann bezyr. rærte 2.111. pinten. zir he hit orrlea. rærte •vii• pinten://

xIII. b Qunuc obbe zehalzob ræmne zir hi spopliczon hiz. pærton •vii• pinten• rume pýllað •iii." Ne mót man iunzum men pîr ronzýran. zir he hine sen to munuchade *zemýnte:

xiv. Lépede man him pir agende zir he obner ceopler pir pemme. obbe ræmnan. 5 rærte .1. pinten zir he beann hæbbe. rærte ·III · pinten · zir he bonne hezrteald rý · rærte ·VII · pinten. rume pillað .x." d Sede mid hir meden. odde rpýrten obše behten hæme færte xII pinten 4 rpa þeah zereo re racend on hpylcum hade he riz. 'Spa hpylc man rpa mid nýtene hæme. rærte .x. pinten odde .vii. rume pýllað ·111 · pinten · rume pýllað án · rume ·c · daza · zereo he hpýlc re man riz obče b neat. On eallum þingum behorað f8pa hpýle re racend zerceadpirnýrre rpa pe beronan cpædon. man rpa on muo red ronleted repre vii pinten. Spa hpýlc man rpa mid hir mennen zehæme. rærte an pinten. zir heo beann hæbbe. zerneoze hiz. y rærte þeah an pinten:

xv. h Lýtel cniht zir he bið rpani mápan orþpicced on hæmede. rærte .v. niht. zir he him zeþarize. rærte 6.xx. nihta. igir he rtéle. obbe mynten éte. y he hit pite. pærte ·vii· bazar·' trir he hæbbe ·xx· pintpa y he apiht þýlcer δό· pærte •xx· nihta· 'zır þer ýlca mið hir hanða hine

^{1&#}x27; bême obbe mærre-preort X.Y.

^{2.1111.} X.

beann zercheonan. Y. Bx. 4 zebinzač X. 5//-111 zen pærte butan hir azenum pîre j on odne pucan tpezen bazar obbe ·III xL. zir hit bib pæmne ·I zen pærte butan rlærce J calob mgyr he nunnan zepemme ·III- zen rærte- pa heo cennepærce j eac alŷre hỳ. Y. Bx.

[&]quot; Th. xvIII. 2. 3.

J. Ib. xix. 12. n. 2.

d Ib. xvs. 34.

b// Ib. xviii. 2.

d' Ib. xx. 13, 14.

[&]quot; Ib. xvi. 30. n. 1.

- 12. Diaconus, si fornicatus fuerit, III. annos jejunet; similiter et monachus; si infantem genuerit, severius jejunet, prout episcopus vel judices ei præscripserint. Et homo non ordinatus, nec monachus, si fornicatus fuerit, xII. menses jejunet; si infantem genuerit, III. annos jejunet; si occiderit eum, vII. annos jejunet.
- 13. Monachus vel puella consecrata, si fornicati fuerint, vII. annos jejunent; nonnulli volunt III. Juveni uxor danda non est, si prius se monachismo addixisset.
- 14. Laicus uxorem habens, si alterius viri uxorem maculaverit, vel puellam, 1. annum jejunet; si infantem habeat, 111. annos jejunet; si autem cœlebs sit, vii. annos jejunet; nonnulli volunt x. Qui cum matre sua, vel sorore, vel filia coiverit, XII. annos jejunet; et videat tamen sacerdos in quo gradu sit. Quicunque homo cum pecude coiverit, x. annos jejunet, vel vII.; nonnulli volunt III. annos; nonnulli volunt unum; nonnulli centum dies; videat [sacerdos] qualis homo sit, vel pecus. In rebus omnibus sacerdoti discretione opus est, ut supra diximus. Quicunque homo semen in os effuderit, VII. annos jejunet. Quicunque homo cum ancilla sua coiverit, I. annum jejunet. Si ipsa infantem habuerit, liberet eam, et nihilominus 1. annum jejunet.
- 15. Parvus puer, si a majore oppressus fuerit in coitu, v. dies jejunet; si ei consenserit, xx. dies jejunet; si furatus fuerit, vel morticinam ederit, et hoc norit, vII. dies jejunet; si xx. annos habeat, et tale quid fecerit, xx. dies jejunet; si idem manu sua se polluerit, xx. dies jejunet; si homini in virili

III. annos jejunet sine propria sua uxore, et secunda quaque hebdomada, duos dies, vel III. quadragesimas; si puella sit, I. annum jejunet, sine carne et cerevisia; si monialem maculaverit, 111. annos jejunet, sive genuerit, sive non genuerit; si ancilla sit, v1. [v11.] menses jejunet, et insuper liberet eam.

s' Ib. xix. 8.

' Ib. xxiii. 6.

¹ *Ib.* xxviii. 4.

[™] Ib. xxvIII. 6.

[₩] Ib. xxvIII. 17.

m/ Ib. xvi. 14. xix. 12. n. 2.

bermîte. pærte .xx. baza. zir men on pepliche ýldo opiht pirlicer zelimpe. pærte .xl. nihta. rume pýllað .c. nihta:/

xvi. *Spa hpýlc ceopl ppa mið hip pípe hæme on monaðaðle. pæpte ·xi. nihta." bAnð ppa hpýlc ppa ¹hip blóð oððe manner pæð djunce. pæpte ²·v. pintep.' °Spa hpýlc man ppa on cipicean hæme. deme þ ³ pe bipceop ppa him piht þince. y pitnige be þam.' deðe mið neate hæme oððe mið pæpneðum men. pæpte ·x. pintep.' °Enihtar gip hi him betpýnan hæmeð-þing ppemmen. ppinge hi man.' 'Nýten gip hit pig manner énde bermíten. pleá man hit y pýlle húnðum. gip him tpeoge. læte lýbban:'

xvii. ⁸Spa hpỳlc hæben man rpa rollæt hæben pír on hiranpealde. ærten hỳna rulpihte hpæden he hæbbe þe næbberpa zerulco. Irỳr hỳna oden bið hæben oben zerulloð re hæbena mót rnam þam zerulloðan rpa re Aportol cpæð. Inpidelir ri dircedat. ^hDa de pænon tupa zerulloðe rpa hiz nýrton ne zezæð him þæn næmiz rærten butan himan ne mót hálzizan ærten cánoner dóme ⁶þeah þ neadbeapr zebýnize. ¹Inr mann rý rnam dýnne roplezenum pneorte zerulloð rullize man hine ert róna. ^{k7}Spa hpýlc man rpa mið hir zepitnýrre hine oðne riþe rullað þir rpýlce he Inrt ert ahenze rærte he ⁸·vii pinten þa ·ii pærten-ðazar on pucan þilli æ-rærtenu rullice: ''

xviii. 'Pen môt hip pîpe on rulluhte' onrôn. 'y pîp þam pene.' "Ne môt zerullod inne mid þam zechiptneðan étanne hine cýrpan' rpa mýcele má. rpa he ne môt mid þam hæbenan:. 10

¹ manner Y. Bx.
2 · III· Y. Bx.
3 bircop- j ponne pitnize rpa him piht pince X.

⁴ htt X. add. 5 7 X. add.

⁶ butan X.Y.

¹⁰ Lilb zýr hit hæðen rpelte- rærte hir ræðen j hir mobon öpeo pinten. Seðe orrleð hir beann hæðen- rærte «x. pinten- ærten canoner bóme- rume pillað «vi. pinten. Þæðen cilb zir hit bið ppeorte bebôben. j hit rý untnum. j hit hæðen rpelte- rý re ppeort or hir

[&]quot; Th. xvII. 5, 8. n. 3.

J Ib. xvi. 18.

e' Ib. xxviii. 12. n. 1.

[₩] *Ib*. xvi. 31.

d' Ib. xvi. 34.

^U Ib. xxxi. 21.

ætate hujus simile quid acciderit, xL. dies jejunet; nonnulli volunt c. dies.

- 16. Quicunque vir cum uxore sua in consuetudine ejus menstrua coiverit, xi. dies jejunet. Et quicunque sanguinem suum, vel viri semen biberit, v. annos jejunet. Si homo quis in ecclesia coiverit, judicet de eo episcopus, prout sibi rectum videatur, et juxta hoc puniatur. Qui cum bestia, vel cum viro coiverit, x. annos jejunet. Pueri, si inter se fornicationem commiserint, flagellentur. Bestia, si a viro sit polluta, occidatur, et detur canibus; si dubitetur, vivere permittatur.
- 17. Quicunque gentilis homo dimiserit mulierem gentilem in potestate sua, post baptismum ejus, utrum eam habeat an non habeat, æquale est. Si alter eorum sit gentilis, alter baptizatus, gentilis a baptizato [discedere] potest, sicut Apostolus dicebat: 'Infidelis si discedit, discedat.' Qui bis baptizati sunt, ita ut nescirent, non opus erit eis jejunare, nisi quod, juxta sententiam canonis, ordinari non possunt, etiamsi necesse fuerit. Si quis a fornicante presbytero baptizatus fuerit, statim iterum baptizetur. Quicunque sciens secunda vice baptizatus sit, id est quasi iterum Christum crucifixerit, vii. annos jejunet, duobus jejunii diebus per hebdomadam, et ni. legitimis jejuniis plene.

18. Viro licet uxorem in baptismo suscipere, et uxori virum. Non licet baptizato cum catecumeno comedere, nec tanto magis eum osculare; sicut hoc ei non licet cum gentilibus.

Infans si gentilis mortuus fuerit, jejunet pater et mater tres annos. Qui infantem suum gentilem occiderit, x. annos jejunet, juxta sententiam canonis; nonnulli volunt v. annos. Infans gentilis, si presbytero commendatus fuerit, et infirmus sit, et gentilis moriatur,

 $^{^{7\}prime}$ Đa þe nýton hpæþen hig gerullobe beoð. J læceð hý ert rullian. Bx.

^{8&#}x27; pa hyîle de he libbe ælce Fpige-bæg to æner mæler. Bx.

⁹ ron neobe X. add.

s' Ib. xix. 20. n. 6.

i' *Ib*. xLVIII. 13.

^{1/} Ib. xLVIII. 23.

^b∕ Ib. xxxvIII. 1.

k"/ Ib. xxxviii. 2.

m/ Ib. xLVIII. 24.

* tæbbőze

add.?

xix. 11 Ing seniz pen odde pîr zehate p he pylle mædenhad zehealban. 4 ærten bon pæne on niht-hæmed zebeoded. ne ronlæte hyna nabon b he ne rærte ·III pinten ron bam dyrezan zehát. 4 þa ún-ánærnoðan punþað tobnocenne. bEir Enizer manner pir deannunga hiz roplicze. re ceopl hiz mót ronlætan. 4 oben niman. 2 zir b pær b envrte pir. zir hit pær b ærtene odde b bridde ne môt he bonne odnum onrôn. Det pîr zir heo hipe rypena* don pylle. embe .v. pintep heo mor obenne ceopl niman." Pirer pen zir he rond-rænd. ýmbe ·xii · monað þær heo mót níman oðenne.' dSpa hpýlc man rpa roplete hir pir y hine to unpiht-hemede peoded. rærte he .vii. pinten' heandum rærtene. obbe .xv. leohtlicon. ·Spa hpýlc rpa rela ýrela bố on mónope· y on manrlihte· y on mane. 4 on unpiht-hæmede. mid nýtenum 4 mid pírum. za on mynrten. y á rærte oð hir daga ende. zir he rpýðe rela rnemede:

xx. 'Leople ne zedárenað þ he hir pir nacode zereo.'

53 Pen y pir zir hiz zeþeodde beoð. y re pen mið hine hæman
ne mæze. Þ pir hine mót roplætan. y hine oðenne níman. zir
b on þone ceopl cuð býð.' hÐa zepeddodan ræmnan hine
yldnan hi ne móton rýllan oðnum men. buton heo eallunza
þone pið-cpeðe þ heo hine nelle. heo þonne mót. zir heo pile.
b roplætan. y hýne mýnrten-zanz zeceóran. zir heo pile.

habe apoppen zir hit ry on hir ylbpum zelanz færte re ppeort an pinten. X. add.

Seo pe acpelled hipe beann butan rulluhte .x. zen pærte- rpa hipe rentt hipe tæce- y zir p cilo rpelte .iii pintpa eals butan rulluhte .x. pinten pærte- odde .iii be pam rullan pæsen y mosen. Lipheo beann onrehe y p acpeld on hipe innode .i. zen pærte. Y.

^{1/} Lif hpýle píf oððe ceopl zeháte. Þ hý pýllon on mæzðhábe puphpunian. J ponne je ceopl hine zeþeobe to hpýleum pífe ne môc he na þ poplætan ne heo hine pop þam zehátum popþý býjlicu zehát J unabepenblicu beoð to abpecanne má ponne to healbenne. Y. Bx.

^{2/} Y. omit.

^{3'} Lif pen j pîr hý zeromnien j heo ponne recze † he ne mæze hæman mib hipe zir heo hit ponne zecyban mæze † hit rôb rý nîme hipe obenne. Y. Bx.

[✓] Th. xvi. 21, 22.

[✓] Ib. xix. 14.

b" Ib. xvi. 5. n. 4. xix. 18.

d Ib. xix. 6.

19. Si quis vir aut mulier voverit virginitatem servare, et postea jungatur in matrimonio, ne prætermittat uterque eorum quin III. annos jejunet, pro voto illo stulto, et quæ non toleranda sunt, dirimantur. Si uxor alicujus viri adulteraverit, marito licet eam dimittere, et aliam ducere, si ea prima sit uxor; si secunda sit vel tertia, non licet ei tunc aliam ducere. Uxor illa, si pro flagitiis suis [pœnitentiam] agere velit, post annos v. licebit ei alium virum accipere. Mortuo viro, post annum licet mulieri alium accipere. Quicunque vir dimiserit uxorem suam, et fornicatione se associaverit, vII. annos jejunet duro jejunio, vel xv. levius. Quicunque multa mala perpetraverit in cæde, et in homicidio, et in perjurio, et in illicito concubitu, cum bestiis et cum mulieribus, eat in monasterium, et semper jejunet, usque ad vitæ suæ finem, si valde multa commiserit.

20. Non decet maritum uxorem suam nudam videre. Si vir et mulier conjunxerint se in matrimonio, et vir cum ea coire non valeat, licet mulieri eum deserere, et sibi alium sumere, si hoc de marito manifestum sit. Puellam desponsatam non licet parentibus suis dare alteri viro, nisi illa omnino declarat se eum nolle; tunc, si velit, licebit ei id derelinquere, et vitam monasticam sibi eligere, si velit. Si puella

deponatur presbyter de gradu suo; si culpa parentum acciderit, presbyter annum unum jejunet.

Quæ infantem suum occiderit sine baptismo, x. annos jejunet, prout confessarius ejus ei præscripserit; et si infans III. annorum sine baptismo mortuus fuerit, x. annos jejunent, vel III. plene, pater et mater. Si infantem conceperit, et in utero suo occiderit, I. annum ierunet.

Si aliqua mulier vel vir voverit in virginitate se velle permanere, et vir postea cum muliere aliqua se conjunxerit, non licet viro mulierem deserere, neque mulieri virum, propter vota illa; quia vota stulta et intoleranda potius frangenda sunt, quam servanda.

Si vir et mulier in matrimonio se conjunxerint, et illa dicat quod ille secum coire nequeat; si vero probare possit, quod verum sit, sumat sibi alium.

e' Ib. xvi. 20.

[₽] Ib. xvi. 28.

¹ Ib. xix. 25.

h/ Ib. xvi. 29.

Ing peo pæmne nele mid ham pene eaploigan ham he heo æn bepeddod pær agire man him ert he peoh he pon hig pealded eac hone huddan dæl hær ypper. I gir he helled holige hær peor I peo pæmne ga on myngten odde ælcon on hine clænnyrre hig healde:

xxi. *Wan zir he hindan hæme mid hir pîre pærte •xlnihta. zir he on hine bæc-þenm hæme rærte •x. pinten.'

Bpa hpylc man rpa hæme Sunnan-dæze odde on niht rærte

111. dazar. Pen ne hæme mid hir pîre •xl. nihta æn Cartrion. ne •vii. nihtum æn Pentecorten. ne •xl. nihtum æn
middan-pintpa:.'

xxII. Lif man flýhổ obejne on mópð on ýppum mode y mið behýdnýffe fæfte 1III. geap fume pýllað vii. 'Spa hpýlc fpa mópþop-flege þafað y hine man þonne fpemmeð fæfte vo pintep fume pýllað vii.' y he xxi nihta on cipicean ne cume. 'Spa hpýlc man fpa hif man offlea fæfte an geap.' 'Spa hpýlc man fpa on zecýnde obejne panhálne bó obbe him pom-plite on-zepýnce fopgýlde him mplite y hif peopc pýnce oð ý feo púnd hál fig. 'Tif he nýte hú he hit gýlde fæfte xxi monoð. Spa hpilc man fpa man offlea fæfte 1II. pintep fæft he hit eft þæf manner magum gýldan pýle fæfte þonne oðen healf zeáp.' 'Lif man oðenne' zepúndige fon þæf blóder gýte fæfte xxi nihta:'

жхии. ^h Sede birceop rlea odde mærre-pneort. р rceal gan on cýninger dóm' odde birceoper. ^{i 5} Spa hpýlc man rpa

^{1&}quot; Lip bepebbob mæben nele to pam þe heo bepebbob bið j pær hipe pilla ropgýlbe þonne þ reoh þ heo æn unbenreng. j þæn-to gebő rpýlcne eacan rpýlce þær reor þpibban bæl rý j þa mágar ropgýlbon heona pebb. Lip he þonne nýlle hý níman hæbbe roprealb þ reoh þ he realbe. Y. Bx.

² On oope stope hit chyo. \$\overline{\psi}\$ he scule hieoprunze bon spa spa sede mis nytenum hæms. Y. Bx. add.

³ k in hir mæge ppece Y. add.

⁴ rlea j hine X. add.

5' 1 Eir hpyle man munue obse elepie acpelle roplæte hir pæpnu j
Lobe peopize obse zean rærte j b beo be birceoper bome. K.

[✓] Th. xvi. 19.

J Ib. xxi. 35.

b Ib. xvII. 1. 3. 4. 6. 7.

d Ib. xx1. 12.

[&]quot; Ib. xxi. 22.

cum viro habitare nolit, cui antea desponsata erat, reddatur ei pecunia, quam pro illa dederat, et præterea tertia pars hereditatis. Si autem ille id noluerit, perdat pecuniam, et eat puella in monasterium, vel alibi in castitate se contineat.

- 21. Si quis cum uxore sua retro coiverit, xL. dies jejunet. Si in tergo ejus coiverit, x. annos jejunet. Quicunque homo Dominica die vel nocte coiverit, 111. dies pœniteat. Vir cum uxore ne coeat xL. dies ante Pascha, nec vII. dies ante Pentecosten, nec xL. dies ante Natalem Domini.
- 22. Si quis alterum occiderit in 'morth,' per iram, et in occulto, IIII. annos jejunet; nonnulli volunt vII. Quicunque ad homicidium consenserit, et id postea factum fuerit, v. annos jejunet, nonnulli volunt vII., et xI. dies in ecclesiam non ingrediatur. Quicunque homo hominem suum occiderit, annum unum jejunet. Quicunque homo alium in genitalibus debilem fecepit, vel ei vulnus in faciem inflixerit, emendet ei vulnus, et opus ejus operetur, donec vulnus sanetur; et mercedem medico solvat, et II. vel III. legitima jejunia jejunet; si nesciat quomodo id solvere possit, xII. menses jejunet. Quicunque homo hominem occiderit, III. annos jejunet; si postea hominis cognatis id compensare velit, tunc annum et dimidium jejunet. Si quis alium vulneraverit, pro sanguinis effusione xI. dies jejunet.
- 23. Si quis episcopum vel presbyterum occiderit, id ad regis judicium pertinet, vel episcopi. Quicunque sacerdotem vel

In alio loco dicitur, quod pœnitentiam agere deberet, sicut ille qui cum bestia coiverit.

ım bestia coiverit. 'pro vindicta fratris'

percusserit, et eum

Si quis monachum vel clericum occiderit, arma relinquat, et Deo serviat, vel annum jejunet; et id sit juxta episcopi sententiam.

Si puella desponsata cum eo esse nolit, cui voluntate sua desponsata erat, tunc reddat pecuniam quam antea accepisset, cui talem addat accessionem qualis tertiæ parti pecuniæ æqualis sit; et solvant propinqui suum 'wedd.' Si autem ille eam accipere nolit, perdat pecuniam quam dederat.

g' Ib. xx1. 26.

^{₩/} Ib. 111. 6.

^ν Ib. xx1. 9.

h/ Ib. xxi. 10.

k/ Ib. xx1. 22. n. 3.

* l. peobbe.

preort obbe munuc orrlea. b bib birceoper bom. hpæben he pæpn roplæte 4 on myntten za. be he .vii. pinten rærce://

xxiv. 1 Lir man orrlea obenne on rolczereohte. obce ron neode. bæn he hir hlaronder ceap penige. rærte he .xl. nihea.' Wan zir he obenne orrlea naller on mont .xii. monoð rærte he. bur man orrled hir ræden odde hir moδορ· γρήτορ οδόε bροφορ· γιινι οδόε δολτορ· β ιγ bιrceoper dom. rume pýllad p he hpeoprize on elpeodizum lande •x• pinten. °Se man bið mýnðna reðe hir bnoðon hatað. rpa Iohanner re zoorpellene cpæð. Qui odit rnatnem ruum homicida erc:/

xxv. Tpezen zebnodnu moton tpá zerpýrtnu to píre habban. 4 բæбер 4 runu modop 4 dohtop. 6 Lir þeopa 4 beopen hýpa bezna pýller hiz zeramnizon. 4 ærten þam zir hýna aðen rneoh bið. ч ne mæze þone þeopan alýran. hýna rpa hpæþen rpa rneoh bið mór þam þeopan rneor gepinnan. ^fSpa hpýlc rpeoh man rpa him zenimě beopne pimman him to pire ne mốt he hiz ert lætan zir hiz ép *beope pæpon mið hýpa begna pýllan. Spa hpýlc man rpa cennende pír rneo zeded. p beann bid rpa-beah a beop. h Da be on nihum hæmede beoð ·III · nihton æp þam ·xL · nihta rærtene · hiz ne zeramnizen hiz. 4 rpa β ·xL· nihta ealle· oð þa nizoðan niht on Carchon.' Spa hpylc rebe harab mannan obbe pir zirce únalireblice rpa-beah. hể mốt rpa hpylone mete býczan rpa he hærð. ropþam re pitega cpæð. Domini ert teppa et plenitudo eiur. Pen y pîr ba de him on hæmede zebeodde pænon. zir očen pýle Loder peopa beón 4 očen nele. oče hýna očen býč unchum. obeh bið hál. rpa-beah mið hýna begna gebarunge hi hiz zeoælon. zir hi pyllon:

xxvi. Leopl zir he mid hir azenum pire hæme. ppea hine

^{1/} Sede man orrlyho on rolcer zereohte rærte .xL. baza. zir he hit puph yppe bố III. zếp bếce. Lir he puph bruncen obbe puph obenne cpært man offlea 1111 zen færte obbe ma zir he punh unnytte cearte man opplea pærte x zep. Y. Bx.
2 in hæmes X. add.

^a Th. xxi. 15. et n. 2.

o' Ib. x1. 3.

e/ Ib. xvi. 32.

^ы *Ib*. xxi. 18.

d Ib. xix. 24. n. 1.

¹ Ib. xvi. 33.

monachum occiderit, id est juris episcopi, utrum arma deponat et in monasterium eat, an vii. annos jejunet.

24. Si quis alium in bello publico occiderit, vel ex necessitate, ubi rem domini sui tuebatur, xL. dies jejunet. Si quis alium occiderit, non in 'morth,' xII. menses jejunet. Si quis patrem suum, vel matrem suam, sororem vel fratrem, filium vel filiam occiderit, id est juris episcopi; nonnulli volunt ut x. annos in terra peregrina pœniteat. Homo, qui fratrem suum odit, homicida est, uti Joannes Evangelista dixit: 'Qui odit fratrem suum homicida est.'

25. Duobus fratribus duas sorores in uxores ducere licet, et patri ac filio matrem et filiam. Si servus et ancilla mutua voluntate se conjunxerint, et si postea alter eorum liber factus sit, et servilem redimere nequeat, eorum quicunque liber sit, licebit ei servili libertatem obtinere. Quicunque liber homo ancillam in uxorem duxerit, non licet ei dimittere eam, si prius cum consensu amborum conjuncti fuerint. Quanquam quis prægnantem mulierem liberam fecerit, infans tamen semper erit servus. Qui in legitimo matrimonio sunt, 111. dies ante jejunium quadragesimale non congregentur, ita etiam per totos illos xL dies, usque ad nonum diem in Pascha. Quicunque vero virum aut mulierem habuerit illicite matrimonio conjunctum, licet ei qualemcunque cibum habeat comedere, quoniam Propheta dixit: 'Domini est terra et plenitudo ejus.' Vir et mulier in matrimonio conjuncti, si alter velit Dei servus esse, et alter nolit, vel alter eorum infirmus sit, alter sanus, separentur, si velint, attamen cum consensu amborum.

26. Maritus si cum propria sua uxore coiverit, lavet se

Qui aliquem in bello publico occiderit, xL. dies jejunet; si per iram faciat, III. annos emendet; si ex ebrietate, vel alio artificio aliquem occiderit, III. annos jejunet, vel diutius; si per rixam inutilem aliquem occiderit, x. annos jejunet.

s' Ib. xvi. 33. n.1.

i Ib. xix. 20.

^b *Ib*. xvII. 1.

W Ib. xix. 24. n. 1.

æn he on cýncean zá.' *Pîr zir heo ropipyð hine pen hýne rpam· y nele ert-zehpýnran y him piðþinzian· ýmb ·v· pinten þær re ceopl mót· be birceoper þarunze· oðnum píre onrón.'

Lir pírer pen riz on hært-nýðe zelæðeð· onbýðe heo hir ·vi· pinten· y rpa ðó re pen þam píre· zir hine hært-nýð zelýmpe· zir re pen onró oðnum píre· y þ zehærte ýmbe ·v· pinten cume· roplæte he þ ærtene y þam zehærtan onró· þam þe he æn ¹nime.' °Danð rpa zelíce pen· zir he zeþeðdeð bið on hæmeðe þam píre þe hir cýnner riz· ærten hir pírer ðeaðe zeþeðde ert þær pírer mazum on ealniht:.'

xxvii. ^dFeopeptyne pintep mæden heo mốt ấgan hipe licháman zepeald.' ^eEniht oố þ he rig ·xv· pintep eald rig he on hip pædep zepealdum· ryððan he hine mốt munecian· zip he pýle· y nấ ếp.' ^fFæmne oố þ heo rig ·xiii· oổðe ·xiiii· pintep rig heo on hýpe ýldpena mihtum· 'æptep þæpe ýldo hipe hlaropd hi mốt zerón mid hipe pýllan. ⁶Se pædep hip runu· zip him mýcel neoð býð· he hine mốt on þeopet zerýllan· oð þ he bið ²·vii· pintep· opep þ· butan þær runa pillan· he hine ne mốt rýllan.' ⁸ h Irip ⁴peond ænizer manner píp him on-zeníme· y he hit ept bezýtan ne mæze· he mốt him oðep níman· ⁵popþan hit ip rpa pelpe þonne he dýpnezelizper leahtop ppemme:'

xxvIII. h 6 On þæne riptan eneopýrre zeleore men hiz móton zeramnizan. I on þæne reopþan. Zir hiz zemette rin. ne

hærbe. J rpa heo him. zir heo odenne æn nime. rpa hand zelice X.

^{2 ·} v_I. X.

 $^{^3}$ Feopentyne pintpe man hine rylpne mæz þeopne zeb**ôn.** Y. $Bx.\ add.$

⁴ hepe Y. Bx.

^{5/} Y. Bx. omit.

⁶ DE GENERATIONIBUS QUOMODO POSSUNT NUBERE.

h In þam þpibban cneope mib Epecum móc man pir níman in rittan mib Romanum ne rpa-þeana in þam þpibban hi hit bjecað. Þealice gezabepunga ne móc mon zerceában butan bezea zeðarunga heopa æzðep móc oðpum lýran mýnrtep-zang. J him níman oðepne *zezazan zir hi in þæm hæpertan hæmebe þæpon mib Epecum þ ir rpa-þeah piht zir hit in þæm ærtepan hæmebe bið ne móc heopa aðepi þpibban habban lírizenbum þam pepe oððe þam píre. Þpibban pírer ceopl * * * rærte heopa æzðen tpezen bazar on pucan j

zezaban i

[✓] Th. xix. 23.

J Ib. xix. 24. n. 1.

b' Ib. xix. 24.

d Ib. xix. 26. n. 2.

antequam in ecclesiam intrat. Si mulier virum suum a se rejiciat, et nolit revertere et reconciliari cum eo, post v. annos, viro licet, cum consensu episcopi, aliam ducere uxorem. Si vir mulieris in captivitatem ductus fuerit, expectet eum vi. annos; et ita faciat vir uxori, si ei captivitas evenerit; si vir aliam uxorem duxerit, et captiva post v. annos redierit, dimittat posteriorem, et sumat captivam, quam antea duxerat. Et æqualiter vir, si in matrimonio conjunctus sit mulieri quæ suæ cognationis sit, post uxoris suæ mortem, legitime conjungat se cognatis uxoris suæ.

27. Puellæ quatuordecim annorum corporis sui potestatem habere licet. Puer, usque ad xv. ætatis annum, in potestate sit patris sui; deinde se monachum potest facere, si velit, et non antea. Puella, usque ad xIII. vel XIIII. annum, sit in potestate parentum suorum; post hanc ætatem dominus ejus illam capere potest, cum voluntate sua. Pater potest filium suum, magna necessitate compulsus, in servitutem tradere, usque ad septimum annum; deinde, sine voluntate filii, eum tradere non potest. Si hostis viri alicujus uxorem abstulerit, et ipse eam recuperare non potest, licet ei aliam ducere; sic enim melius est, quam fornicationis crimen committere.

28. In quinto propinquitatis gradu licet caris hominibus in matrimonium ire, et si in quarto inventi fuerint, ne separentur;

habuit, et ita illa illi, si alium ante duxisset; simili modo Quatuordecim annorum homini licet se servum facere.

In tertio propinquitatis gradu apud Græcos viro licet uxorem ducere, in quinto apud Romanos; in tertio tamen non dissolvunt. Legitima conjugia, sine consensu amborum, non licet separare. Potest alter eorum alteri licentiam dare in monasterium ire, et alium sibi conjugem sumere, si in primo conjugio erat; apud Græcos vero id legitimum est, si in secundo conjugio erat: neutri eorum licet tertium habere conjugem, vivente viro vel uxore. Tertiæ uxoris vir * * * jejunet uterque eorum duobus diebus in hebdomada, et

e' Ib. xix. 26.

s' Ib. xix. 28.

[&]quot; Ib. xix. 27.

h Ib. x1x. 24. n. 1.

tpæman hi man. et buddan eneope totpæman hi man. Fonzanze prir hine pen viii mondar sendam de heo cenne. 4 2 ærten hine beonone •xL• nihta. b Spa hpýle man rpa mið hir pîre on byrum hæme rærte .xx. oððe .xl. nihta.' ° Dîr on hipe monaő-able cypcean ne rece- ne heo to hurle ne zánadop ne nunne ne léepede pir. zir hi hit don. rærton hi •xx• nihca:/8

xxix. d4 Lip pir δηή-chæpt. y zalδοη. y unlibban pýnce. pærte ·xii · monað · oððe ·iii · æ-pærtenu · oððe ·xi · nihta · zepîte hû mýcel reo rýpen riz. 'Enr heo mid hine ûnlýbban man acpelled. pærce 8.vii. pinten.' f pir h zæd on cyncean æpþan heo clæne riz hipe blobe. rærte .xl. 6baza. 8 Pir reode menzo pener red on hine mete 4 hone hiczo. h heo ham pæpned-men be leorne riz. rærte heo .iii. pinten:

xxx. h 7 pir reobe to sepyppe zebo hipe zeeacnunga on hipe hpýre y cpelle ýmbe xl. nihta þær de heo þam ræde onró. épham þe hit zeraploð pæpe· rpa rpa mýpðpa· rærte ·iii•

oneo é-rærtenu rlærter b hi nan ne étan. In bæne énertan zepeodnyrre pener 7 pîrer pneorce zebarenad h he mærran rinze- 7 da zeramnunza blecrize j heo ærten pon hie ahebban j hy cynican recopentyne? recan mie ælmerran j sam nihtum rons-zetenum hie hi zebissam j rærten .xl. nihta. jærten dam gan to hurle. X.

1/ pam ppibban eneope rýn hý zerceábene X.Y.

2' Lir he monde æp pam beopppe hæmd .xl. bazar rærte. Y. Bx.

3 Foplegene pir . VIII. gean rærte. Bx. add.

4' Lif hpýle píř piecunza bezá. 7 pa beoflican zalbop-ranzar. blinne j pærte 1. zen. j þa 111. æ-pærtenu oððe þon zýt má ærten þæne zeean-nunge. Y. Bx.

On canone hit cpyo rede halrunga. 7 zalbon-cpærtar. 7 rperen-paca behealbað þa beoð on hæðenna manna geríme. Eac rpylce þa ðe oðne men on þam bhy-chærte gebningað gir hy on mynttne ryndiến hể úc-apoppene zir he on roice rến becon rulpe boce. Y. Bx.

5 . vI. X.

6 nihra X.Y.

7' Da pîr þe bôð apez-apoppnerre heona beanna. þi ýlcan zemete rýn hý zebembe keppan pa beapn cpice rýn j pon ærcep pam pir ýr ýmb •xr. nihta þær ræber onrengnerre. rýn hý zetealo to man-mýnönum. 7 rærce þon ·111. zép ælce Þodner-dæze. 7 ælce Fpize-dæze. 7 þa þpeo æ-rærtenu. Y. Bx.

a/ Th. xvii. 2.

d Ib. xvII. 8.

b Ib. xvII. 5.

d Ib. xxvii. 13.

in tertio gradu separentur. Abstineat se mulier a marito suo vii. menses antequam pariat, et post partum suum xl. dies. Quicunque vir cum uxore sua per illud tempus coeat, xx. vel xl. dies jejunet. Mulier in morbo suo menstruo ne introeat ecclesiam, aut eucharistiam percipiat, nec monialis nec laica; quod si fecerit, xx. dies jejunet.

- 29. Si mulier artem magicam, et incantationes, et maleficia exerceat, xII. menses, vel tria legitima jejunia, vel xL. dies jejunet: sciatur quantum sit flagitium. Si maleficiis suis aliquem occiderit, vII. annos jejunet. Mulier quæ ecclesiam intraverit antequam a sanguine suo munda sit, xL. dies jejunet. Mulier quæ semen viri cum cibo suo miscuerit, et id sumserit, ut masculo carior sit, III. annos jejunet.
- 30. Mulier quæ utero conceptum excusserit, et xL. diebus post semen receptum occiderit, antequam animatus fuit, quasi homicida III. annos jejunet, et qualibet hebdomada II. dies ad

tribus legitimis jejuniis, ita ut carnem nullam comedant. In primo conjugio viri et mulieris, presbytero convenit missam celebrare, et conjugium benedicere; et illi deinde suam ab ecclesia abstinentiam eleemosynis pensent, et quatuordecim dies vacent orationi, et xl. dies jejunent, et postea eucharistiam accipiant.

in tertio gradu separentur.

Si mensem ante partum coiverit, xL. dies jejunet.

Mulier fornicaria VII. annos jejunet.

Si mulier aliqua veneficia exerceat, et diabolica cantica magica, cesset, et 1. annum et 111. legitima jejunia jejunet, vel adhuc amplius, secundum meritum.

In canon dicitur, quicunque exorcismos et incantationes, et somniorum interpretationes observat, cum gentilibus adnumerandus est. Similiter qui alios homines in artem magicam ducunt, si in monasterio sint, expellantur; si de populo sint, plena emendatione emendent.

Mulieribus quæ fecerint abortionem infantum suorum, idem sit judicium judicatum; antequam infans vivus esset, vel postea, id est, xL. dies post semen receptum, habeantur pro homicidis, et tunc 111. annos jejunent, diebus Mercurii et Veneris, et tribus jejuniis legitimis.

[€] Ib. xvii. 8.

^{8&#}x27; Ib. xvi. 30.

h/ lb. xx1. 3, 4.

i' Ib. xvII. 9, 10.

pınten. y æzhpylcene pucan .11. bazar to ærener. y .111. &-rærtenu. zır heo beoppop ropleore .1. zeap. obbe .111. &-rærtenu:

xxxi. * Wodon zir heo offlea hipe beann- pæfte ·xv· pinten butan blinnýffe· butan Sunnan-dazum· bzir heo þeapfende fiz· pæfte ·vii· pinten.' 'Pír zir heo mið oðnum¹ hæme- pæfte ²·x· pinten.' 'Pír zir heo mið hpýlcum chæfte hipe hæmeð zenenað· fpa heo fýlf pát· pæfte ·ii· zeap· fohþan þhipe bið bermitennýf. 'An ræften zezæð pudepan y ræmnan-máne zezæð píre þam ðe pen hafað· zir heo dýnne zeliznu zýnneð.' 'Ne mót pír hipe ceopl foplætan· þeah he deapnunza foplicze.' Pír mót to hurle zán æpham heo cenne- zir hipe nýð-þeapf bið. 'Pír zir heo þiczð hipe pener blóð fop hpýlcum læcedóme· fæfte ·xi· nihta:/

xxxII. h Lip man medmycler hpæt-hpega deoplum onpægdpærte ·I· geap· gip he mycler hpæt onpecge· pærte ·x·
pintep.' 'Spa hpylc man ppa peondum gerenodne mete
blicged· g ept pheorte geandet· preapige pe paceph hpylcer
hader pe man pig· odde on hpylcepe ylde· odde hu getyd pe
man beo· g bonne ppa deme ppa him piplicopt bince.' 'Spa
hpylc man ppa copn bæpne on bæpne ptope bæp 'man dead
pæpe· lypigendum mannum to hæle· g on 'hip hupe.' pærte
·v· pintep:''

xxxIII. 18 Dîr zir heo ret hine dohton oren hûr. odde on oren. ropham de heo pylle shiz reren-adle zehælan. rærte

³Ne môc pir zehâc zehâcan bucan hipe peper learnyffe. V. V. add.

¹ pire X. add. ²·III· X.

 $^{4^{\}prime}$ m N_Ir þam pîpe na alýpeb $\rlap{/}p$ heo poplære hipe pep- butan leapepeah he poplezen beo- butan Barılıur bémbe $\rlap{/}p$ heo morte gan in mynrtep- zir heo polbe. $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ bonrægo $\rlap{/}$ $\rlap{/}$ 0. piczeo $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ beo polbe. $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ bonrægo $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ piczeo $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ piczeo $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ $\rlap{/}$ piczeo $\rlap{/}$ $\rlap{/}$

⁶ beabe men beoð bebyngse Y. Bx.

⁷ hyre O. his hure X. Y.

^{8&}quot;/Lif hpylc pîr jeteğ hipe beapn ofen hpor oğğe on ofen rop hpylcene untrymge hælo vii zeap ræfte. Y. Bx.

y rerep-able men zehælan. X.Y.

[✓] Th. xxt. 7.

c' *Ib*. xvi. 4.

[₩] Ib. xxi. 8.

d' Ib. xvi. 4. (?)

¹ Th. xvi. 5. n. 4.

vesperam, et 111. legitima jejunia; si partum perdiderit, annum unum vel 111. legitima jejunia.

- 31. Mater si infantem suum occiderit, xv. annos jejunet sine intermissione, nisi diebus Dominicis; si pauper sit, vII. annos jejunet. Mulier si cum alia fornicata fuerit, x. annos jejunet. Mulier, si aliquo molimine, uti ipsa novit, fornicationem suam peregerit, II. annos jejunet; quia id ei pollutio est. Unum jejunium competit viduæ et puellæ; majus competit mulieri virum habenti, si adulterium committere desiderat. Mulieri non licet virum suum deserere, etiamsi adulteretur. Mulieri licet eucharistiam accipere antequam pariat, si ei necesse sit. Mulier si sanguinem viri sui pro aliquo remedio gustaverit, xL. dies jejunet.
- 32. Si quis dæmonibus exigui quid immolaverit, annum 1. jejunet; si magni quid immolaverit, x. annos jejunet. Quicunque cibum dæmonibus immolatum comederit, et deinde sacerdoti confessus fuerit, videat sacerdos cujus conditionis homo sit, vel in qua ætate, vel quomodo edoctus, et deinde ita judicet prout ipsi prudentissimum videbitur. Quicunque grana combusserit in loco ubi mortuus est homo, pro sanitate viventium et domus, v. annos jejunet.
- 33. Si mulier filiam suam super domum, vel in fornace posuerit, eo quod eam a febri sanare velit, vii. annos jejunet.

Non licet mulieri votum vovere, absque viri sui venia.

Non licet mulieri virum suum sine venia deserere, etsi adulter sit: judicavit autem Basilius quod liceret ei, si vellet, in monasterium intrare.

homines mortui sepeliuntur,

Si mulier aliqua infantem suam super tectum vel in fornacem posuerit, alicujus morbi sanandi causa, vii. annos jejunet.
a febri homines sanare

y Ib. xvi. 31.

¹∕ Ib. xxvII. 4. n. 1.

ν/ *Ib*. xxvii. 14.

h Ib. xxvII. 1.

k// Ib. xxvii. 15.

m/ Ib. xvi. 5. n. 4.

heo •vii • pintep.'' • Pîr zir heo riz on unpihtum hêmede · y hipe pep mid hipe eapdizan nelle · zā heo on mynrtep · zir heo pylle · zir heo nelle · nime þone reopðan dæl þær yprer.' • Inr hpylc pîr riz þe unpiht-hêmed rpemme · hype pite riz on hipe peper handum.' ° Pîr þ bið be ánum pepe y heo þonne Iode zeháteð · þ heo ærtep hipe peper deaðe oðenne nelle · ¹ y heo oðenne onrehð · þonne hpeopeð hipe þ heo hipe zehát ne zerylde · pyle ert zebétan ymb endlýron zeap þær be hiz zeramnedon · on hipe peper anpealde þ bið hpæþep heo hit zerylle · þeah-hpæðepe mid nýdnýrre hipe man mót lýran þ heo mid ² þam riz. Inr hpylc man · butan birceoper zeþarunze · zehát zeháte · on þær birceoper anpealde þ bið hpæðep he hit onpende þe ná:

xxxiv. d8 Sebe mænne ab rpepige on cyncean. obbe on Lurter bec. obbe on halzan neliquian rærte iiii pinten. Sebe mænne ab rpepige on birceoper handa. obbe on mærrepreorter obde on diaconer obde on zehalzodum Epirter mæle pærte 1. zeap." "Seše biš on aše zelæbb 4 he mte pæpon butan piht. 4 he rpa-peah mið þam oðnum mán-rpénize. न एक bið berpicen. न ert pát þ hit lear pær. rærte ।।।। æ-rærtenu.' 'Sebe hir bancer mænne ab rpenize y he pite p he mene bio ærten þam• rærte ·III• pinten oððe ·II.' Sebe rpepes on lespeser manner handum nir p rop 5 nahr hpæden mid Enecum. Færte man ærten canoner dome æn he to hurle za. Eppon hýpa rærten riz arært. rume pýllaď þ hi rona ýmbe exii monað gán to e oððe ýmb vii. monač. rume pýllač bonne hiz habbač hina rærten arært:

¹ ponne rpelteð re hipe pen X. Y. add.

² pone X. him Y.

 $^{2^{\}prime\prime}$ Se man rete mæme at prepat on cypicean $\times 1$. Zép pærte- zir he hit pop neobe to $\cdot 1111 \cdot$ Zép $[\cdot 111 \cdot$ peopentizo Bx.] pærte. Sete on manner handa at prepat ne habbat \dagger Lipecar pop naht. [piht Bx.] zir he prepat on biscoper handa otte on mærre-preorter otte on biscoper otte on zehalzebum Lipiter mæle j re at bit mæne $\cdot 111 \cdot$ Zép bête- zir he on unzehalzebum Lipiter mæle mangpepat $\cdot 1 \cdot$ Zép pærte. Y.Bx.

⁴ euanzelio X.

⁵ O. omit.

J. B. xIX. 21.

b' Ib. xix. 19. (?)
d'/ Ib. xxiv. 2.

Mulier si adultera est, et vir ejus non vult habitare cum ea, intret in monasterium, si velit; si nolit, quartam hereditatis partem accipiat. Si mulier aliqua adulterium perpetraverit, pœna ejus sit in manibus viri sui. Si mulier, vivente viro, voverit Deo, quod post obitum viri sui non accipiat alium, et alium accipit, deinde pœnitentia mota, quod votum suum non impleverit, post annum undecimum, ex quo conjuncti fuerint, emendare velit; in potestate viri sui erit, utrum impleat an non; tametsi si necesse sit, licet viro ejus ei permittere secum esse. Si quis absque consensu episcopi votum voverit, in potestate episcopi erit, utrum mutet an non.

34. Qui perjuraverit in ecclesia, vel in Evangelio vel in reliquiis sanctis, IIII. annos jejunet. Qui perjuraverit in manu episcopi, vel presbyteri, aut diaconi, vel in cruce consecrata, annum I. jejunet. Qui ductus est in juramentum, et in eo nihil nisi rectum scit, et nihilominus cum aliis perjurium facit, itaque decipitur, et postea norit quod falsum fuerit, III. legitima jejunia jejunet. Qui sua sponte perjuraverit, et postea scit quod perjurus est, III. annos vel II. jejunet. Si quis in manu hominis laici juraverit, pro nihilo quidem est apud Græcos. Juxta sententiam canonis, jejunet quisque antequam ad eucharistiam adeat. Antequam jejunium eorum jejunatum fuerit, nonnulli volunt ut statim post menses xII. adeant, vel post vII. menses; nonnulli volunt postquam jejunium eorum jejunaverint.

tunc moritur ejus vir,

Homo qui in ecclesia perjuraverit, xI. annos jejunet; si ex necessitate fecerit, IIII. annos jejunet. Qui in manu [laici] hominis juraverit, Græci id pro nihilo reputant; si in manu episcopi vel presbyteri vel diaconi, vel super altare, vel in cruce consecrata juraverit, et juramentum falsum sit, III. annos emendet; si in cruce non consecrata perjuraverit, I. annum jejunet.

of Ib. xxIV. 5.

^{8&#}x27; Ib. xxiv. 2.

[&]quot; Ib. xxiv. 1. (?)

xxxv. 11Da be on Sunnan-bæxe pynceað. Enecar ba men Epyrt mid pondum bneatiad. zir he ert dod. bonne nimd him man hýpa ceaper hpæt-hpega. on þpiddan riðe hig rpingað. oŏče hataŏ rærtan •vii• niht.' bEnecar pillaŏ æzhpýlce Sunnan-bæge to hurle gan. ægben ge læpede ge pneortar. 4 pa de phým Sunnan-dazum ne zad to hurle. pa beod amánrumobe erten canoner bome. Spa zab Romane to hurle. butan hi ne amangumiao ba oe rpa ne mazon.' d Qid Enecum biaconar ne môton bpecan zehálzobne hlár. ne collectan næban. ne Dominur vobircum cpeban. On zehpylcum anum peorode bu mort on dæge geringan 111 mærran.' Sede æt ronepeanone mærran ne bio. ne môt he æt bam corre cuman ron hurle. Sede nelle to hurle gan- ne he ert to mærrepreorter handa to hlare ne cume ne to hurle ne to corre. is Ne mot man to mærre-pneorter handa to hurle gan rebe pa háltunze obbe pa lectionem ne mæz ærten beape zerýllan:

xxxvi. Fop popöpenedne munuc man mót pona pinzan mæppan þi þnýddan dæze. I pýddan pa pe abbod pýle. Fop gódne læpedne man man mót pinzan þi þniddan dæze mæppan odde ýmb peopon niht. Fop hpeoppizendne man man mót "lii. mæppizan ýmb "xxxx nihta. odde ýmb vii. niht zip him pæptað hip mazar I hip ppýnd pope. I dód pop hip paple hpæt-hpeza góder to þam peopode.' h Wid Romanum ip þeapð appjunzenna manna líc I æppæpta manna man býpeð on

^{1&#}x27; Beo Sunnan-bæzer peopce.— 'Lpecar y Romana popad y pîbadac man ne môt nadep ne hlâr bacan ne in cpæte râpan- buton hpâ to cypcean onrâpe- ne men ne môton badian Sunnan-bazum- ne eac Lpecar nellad openlice prîtan on pam bazum- ac zir hpylc nyb-peapr bid- ponne pillad hy brzellice prîtan in heopa hûrum: '

* Da pe pypcead Sunnan-bæze- æt pam ropman cyppe Lpecar hy orepcîdad- æt pam odpum cyppe nîmad hyæt-hpuzu pær pe hy

^{*}Da pe pýpceað Sunnan-bæge· æt þam ropman cýppe Lpecar hý orepcidað· æt þam oðpum cýppe nimað hpæt-hpugu þær þe hý pýpceað· jæt þam þpýbban cýppe þone þpibban bæl ðær þe hig mið gercýldigeað· jær hit rýnt þeope men· j hig hit hýpa piller böð- rýn hý berpungene· jært hit rýn rpeo men· rærten hý ·vii· niht [butan] rlærce j ealað. Y. Bx.

² pæbinge Y.

y Nir na to onfonne reo halize onrægoner or hær mærre-preorter handa he ne can hir opationer [zebebu Y.] I hir lectioner mid pilite zeryllan. Y.Bx.

 $[\]overset{\checkmark}{4}$ býpizeď O. býpeď X. bepď Y.

[&]quot;Th. xxxvIII. 11. et n. 1.

c' *lb.* xliv. 2.

e' Ib. xLVIII. 4.

[₩] Ib. xLIV. 1.

d Ib. xLVIII. 13. n. 1.

[&]quot; Ib. xLvIII. 13.

35. Qui operantur die Dominico, homines illos Græci, prima vice, verbis arguunt; si iterum faciant, tum rei illorum auferunt quid ab eis; tertia vice, aut vapulant, aut vii. dies jejunare jubent. Græci volunt quolibet die Dominico eucharistiam accipere, et clerici et laici; et qui in tribus Dominicis eucharistiam non acceperint, excommunicantur, juxta sententiam Romani similiter eucharistiam accipiunt, nisi quod non excommunicant eos qui ita non possunt. Apud Græcos diaconis non licet frangere panem sanctum, nec collectam legere, nec 'Dominus vobiscum' dicere. In uno quolibet altari licet tibi duas missas quotidie cantare. Qui priori missæ non adest, ei non licet ad osculum accedere ante eucharistiam. Qui eucharistiam accipere non vult, ne accedat postea manui presbyteri ad panem, nec ad eucharistiam, nec ad osculum. Nemini licet eucharistiam accipere de manu presbyteri, qui consecrationem vel lectionem non potest rite implere.

36. Pro defuncto monacho licet jam tertia die missam cantare, et postea quemadmodum voluerit abbas. Pro laico bono, tertia die licet cantare missam, vel post dies septem. Pro pœnitenti licet missam celebrare post *xxx. dies, vel post vii. dies, si pro eo cognati atque amici jejunaverint, et pro anima ejus altari boni quid fecerint. Apud Romanos consuetudo est 'monachorum' et hominum religiosorum cadavera in ecclesiam portare, et chrismate pectus eorum ungere, missamque

* l. 111.

De opera die Dominico. — Græci et Romani remigant et equitant, sed nemini licet vel panes coquere, vel in curru iter facere, nisi quis ecclesiam adeat: balneo uti diebus Dominicis nemini licet. Græci etiam nolunt palam scribere illis diebus; si tamen necesse sit, tunc in ædibus suis clam scribere volunt.

Qui operantur die Dominico, eos Græci prima vice arguunt; secunda vice, aliquantulum ejus quod confecerint, auferunt; tertia vice, partem tertiam ejus quo peccaverint: et si servi sint, et sponte faciant, flagellantur; si liberi sint, vII. dies, sine carne et cervisio jejunant.

Non est accipiendum sanctum sacrificium a manu presbyteri, qui orationes suas, et lectiones suas recte exsequi non potest.

^{8&#}x27; Ib. xLv. 10, 12. et n. 3. b' Ib. xxxviii. 6, 7, 13.

h/ Ib, xLv. 12.

cipicean. I mid chỳrman rmýpeð hir bheort. I man ringeð mærran oren. I bonne benað to býngenne mid range. Þonne hit bið on þa býngenne ret. Þonne pýnpeð man moldan oren hit. Þonne þý fæpertan dæge. I þi þjuddan. I þi nigoðan. I þi þjeotteoðan dæge. ron hine man ringeð mærran. I rýððan ælc reðe pýle:

xxxvII. *Pîr mốton unden brunum hræzle to hurle zánrpa rpa Bariliur *tæhte.' Wið Enecum pîrmen mốton
onreczan onræzdnýrre- ne mốton rpa Romane. *Dpeo &rærtenu rýndon on zeape- án oren eall rolc- rpa p ·xl- nihta
ropan to Earthon- bonne pe bone teodan rceat þær zeaper
lýrað- y p ·xl- nihta æn zeolum- bonne zebiðdeð hine eall
p penod rope- y onationer pæðað- y p ·xl- nihta oren Pentecorten:"

xxxvIII. 'Fixar man mốt þiczean þeah be hi beabe rín gemette roppon þe hig rýnt obene zecýnde.' 'Nir hoprer rlærc ropbóden þeah hit rela mægða þiczean nellon.' 'Fuzelar y obne nýtenu þa be on nétte beoð apýngeðe ne rýnt hig ná to étanne.' 'ne þeah haruc-rugel abíte gir he bið dead gemét bne bið he rýððan to étanne.' roppan 'pra ir in Actibur Aportolonum bebóden. Abrtinete vor a ropincatione et a rufrocato et ranguine et idolatjua.' 'Danan man mót étan y he bið góð pið lengten-ádle y pið út-riht geróðen on pætene.' y hir geallan man mæg pið pipon mengan "pið múð-ráne:''

ærtepan Y.
 bémbe X.Y.
 mibban-pintpa Y. üper Dpyhtner zebypb-ríbe. Bx.

⁴ h On pam seppan beze set zeolum [mibban-pintpa Y.] set nonepiddan mæffe byð zefungen- heo zeneophiað Romane- Epecaf to sepenne- þonne æpen bið zefungen j mæffe- þonne fóð hi to mete. X.Y. add.

^{5&#}x27; ac hir if ungepunelic to exanne. Bx.

^{6&#}x27; Da 1111 hearos-cpisar in Actibur Aportolopum pur bebeosas p man hine rophæbbe rpam býpnum zeliznum j rpam apýpzesum nýtene j rpam blôse j rpam beorol-zýlse. Y. Bx.

^{7&#}x27; Omit. X.Y.
8'' piő inn-ppæce Y. add. inpence Bx. add.

[√] Th. xLVI.

c' Th. xxxi. 15. et n. 1.

[⊌] Th. Cap. p. 66.

d Ib. xxxi. 17.

super eis cantare, et deinde cum cantu ad sepulturam portare, et cum posita fuerint in sepulcro, deinde terram super ea jacere; tunc primo, et tertio, et nono, et trigesimo die, pro illis missam cantare, et postea quicunque velit.

- 37. Mulieribus licet sub nigro velamine eucharistiam accipere, ut Basilius præscripsit. Apud Græcos licet mulieribus sacrificium sacrificare, juxta Romanos non licet. Legitima jejunia tria sunt in anno; unum pro omni populo, ut illud xL. diebus ante Pascha, cum decimam partem annuam solvimus; et illud xL. diebus ante Natale Domini, cum totus populus pro se orant, et orationes legunt; et illud xL. diebus post Pentecosten.
- 38. Pisces licet comedere, quamvis mortui inveniuntur, quia alterius naturæ sunt. Caro equina non est prohibita, etsi multæ gentes eam comedere nolunt. Aves et cetera animalia, quæ in retibus strangulantur, non sunt comedenda; neque etiamsi accipiter ea momorderit, si mortua inveniantur, sunt postea comedenda, quia in Actibus Apostolorum ita præcipitur: Abstinete vos a fornicatione, et a suffocato, et sanguine, et idolatria.' Leporem licet comedere, et bonus est contra dysenteriam, et diarrhœam, in aqua elixus; et fel ejus miscendum est cum pipere contra dolorem oris.

Primo die Natalis Domini, hora nona, post missam cantatam, comedunt Romani; Græci, vesperis et missa cantatis dictis, cibum sumunt.

sed non solet comedi,

Quattuor dicta præcipua in Actibus Apostolorum sic præcipiunt; ut quisque se abstineat a fornicatione, et ab animali suffocato, et a sanguine, et ab idolatria.

Ib. xxxi. 10.
5" Ib. xxxi. 16. et n. 2.

^{f'} **Ib.** xxxi. 11. ^{h'} **Ib.** xxxviii. 14. **n**. 3.

xxxix. Beon zir hi man acpellate cpelle hiz man nape. En hi to bain hunize cumon. 4 hunu b hiz oren niht bænon ne punizon. 4 ête man & húniz & hiz pophton.' b Lir lýtel reaph arealle on pætan. 4 cucu riz upp-atozen. rppenze man bone pæran mid haliz pærene. 4 beneoce mid i necelre. 4 bicze man bone pætan. zir hit bead riz. 4 man ne mæze bone pætan zerýllan. zeote hine man út./ Lif man mid unclænum handum hpylcer meter onlyine. obše him hund obše catt. odde műr odhníne. odde oden űnckéne nýten hpýlc. Deodopur cpæð. þ him þ nanuht ne ezloðe.' dIir on hpýlcne mýcelne pæran múr oððe pérle on-berealle. 4 þæn dead riz. rppenze mid haliz pætene 4 þýcze.' 'Se man reðe unclæne nýten picześ rop hir peaprum. ne ezleś b napiht.' 2f Untnumum men bið alýreð þ he on ælce tíð mót mete þiczan. 4 þonne hine lyrteő.' Elir hpá zebirceopize hine tupa. 4 he hit pite · rærte · vII · pinten · zir he hit nýte · rærte · III · puncen:3//

xL. h4 Lir rpyn étað menten rlærc. oððe manner blóð býngeð pe gelýrað þ hi rpaþeah ne rýnt to apunpanne þeah hi man bonne zýt étan ne môte. oð þ hi eft clæne rýn. Lif hen-rugel manner blod drinces ert hipa man mot brucan

4 Spîn pa de manner blob piczead, pa man môt piczean ac zir hỳ beabe men tepab ne beob hy alyreb to piczanne æp ymbe zeaper zanz. \mathfrak{P} heom ry \mathfrak{P} rlærc or-azán. Y. Bx.

5 hir X. hy Y.

* del.?

¹ prope Y. 2'' Omit. X.Y.

³ The hydr geong man hæmeb-ping gepynce buran pihrum gerinrcipe bête i gean zir he hit êne j unroprceapoblice zebybe ry reo bốc pe leohthe j rpa-peah bếte p rulle zeap j zýr hi rýn on pæpe zeozobe binnon xx zeana p hy pur azylvan beven iii lencven-pærvenu p bobner-bæge j Frize-bæge eall p zean j zir hy ponne pone jyrum zýlce zenýppobe pupčaší becan xl. baza. j zir hý hit ponne bezinnan j ne zerpemmaní becon xx. baza. k Lýr hpýlc pýbepe hý roplicze bece 11 zeap. j niht ýmbnen-bazar to-eacan þær zeaper j zýr heo ponne beann hæbbe bece tpå zeap rulle j očen tpå leohtopi. Lýr hpýlc æmtiz man zepemme očner pír bece 11. zeap. And zyr hpylc man ponne *ry. pe on hir pihcan zerynrcipe libbe- æmzizne man zepemme- bête tpå zeap- j fophæbbe fpam hir azenum pîre- zir heo bonne zeparobe- zyr he hiz bonne neabunza bybery reo bæbbor þe mane: X.Y. add.

[✓] Ib. xxxi. 25. et n. 3.

ef Ib. xxxi. 25. et n. 4.

[₩] Ib. xxxi. 2. (?)

d' Ib. xxxi. 3.

¹ Ib. xxx11. 2.

39. Apes si occiderint hominem, statim occidantur, antequam ad mel perveniant, ita saltem ut non per noctem ibi restent; et mel quod fecerint comedatur. Si porcellus ceciderit in liquorem, et vivus sit extractus, spargatur liquor ille aqua benedicta, et suffiatur thure, et liquor sumatur; si mortuus sit, et liquor dari nequeat, effundatur. Si quis immundis manibus cibum aliquem tetigerit, vel canis, vel felis, vel mus tetigerit, aut aliud quodcunque animal immundum, Theodorus dixit quod ei nihil noceret. Si in multum aliquem liquorem mus vel mustela inciderit, et ibi mortuus sit, aspergatur aqua benedicta, et sumatur. Qui immundum animal pro necessitate comederit, nihil nocet. Infirmo licet quavis hora cibum sumere, et quandocunque desiderat. Si quis bis confirmatus sit, et hoc sciat, vii. annos jejunet; si nesciat, iii. annos jejunet.

40. Si porci carnem morticinam ederint, vel sanguinem humanum gustaverint, non abjiciendos esse credimus; tametsi nondum licebit eos comedere, donec mundi sint. Si gallina sanguinem humanum biberit, post tres menses licebit eam

Si juvenis quis, absque legitimo conjugio, fornicatus fuerit, annum 1. pœniteat; si semel et inconsiderate fecerit, pœnitentia levior sit, nihilominus annum plenum pœniteat; et si ætatis intra xxum. annum sint, cum sic deliquerint, 111. quadragesimas pœniteant, et die Mercurii, et die Veneris, per totum annum; et si postea, propter hoc delictum, afflicti fuerint, xL. dies pœniteant; si autem incipiant et non conficiant, xx. dies pœniteant. Si aliqua vidua fornicationem commiserit, annum 1. pœniteat, et insuper quattuor temporum legitimis anni diebus; et si tunc infantem habeat, duos annos plene pœniteat, et duos alios levius. Si vacuus homo quis uxorem alterius violaverit, 111. annos pœniteat. Et si quis demum, qui in legitimo matrimonio vivat, vacuam violaverit, duos annos pœniteat, et ab uxore sua propria se abstineat, si quidem illa consenserit; si vero invita illa fecerit, sit pœnitentia major.

Porcos, qui sanguinem humanum gustaverint, licet comedere; si autem homines mortuos laceraverint, non permittitur eos comedere, ante annum exactum, cum caro illa ab eis evaserit.

^{8&#}x27;' Ib. xxxviii. 2. (?)
i' Ib. xvi. 1, 2, 3.
i' Th. Cap. p. 82.

h'' Ib. xxxi. 19, 20. et n. 3. b' Ib. xvi. 17.

ymbe þný monað. be þýrum rpa-þeah pe nabbað ealde zeptnýrge."

**Inr man apiht blöðizer þicze on *healr-roðenum mete. zir he hit píte. rærte .vii. dazar. zir he hit nýrte. rærte .vii. dazar. zir he hit nýrte. rærte .iii. dazar. oððe raltene ringe. bå 8eðe hir rýlrer blöð on rpatle mið unzepirre roprpelze. nýr þ næniz *pleoh. Seðe apiht þicze þær þe húnd oððe múr éte. oððe pérle pidlize. y he hit píte. ringe hund-teontiz realma. zir he hit nýte ringe .i. realma. deðe oðnum rýlle þone pætan þe múr oððe pérle pæpe on-aðnuncen. zir hit rolcer man riz. rærte .iii. binht. zir hit mýnrten-man riz. ringe .iii. hund realma. re hit æn nýrte y ert píte. ringe raltene:

xII. Dionyriuf Apiópagíta cpæð. Þ Þ ýrelfang pæpe on God reðe for ýrelne man mærfan runge þonne cpæð Agurtinur. Þ hit pæpe for ealle chirtene men to dónne oððe hýt þam mannum to góde pæpe þa ðe þæp deade pæpon oððe hit þam biddendum y sþam onrecgende þæpe onrægdnýrre fremode. Seðe for deadne man rærteð ohit bið him rýlfum rporon gri hit þam deadan ne hýlpð. God ána pát hpæt hir deadan gegæð:

Scr Silverten cpæð ne rceal nan acolitur þ ir hurl-þenroprecgan nanne rubbiacon ne nan exopeirta þ ir halrene-

In X. et Y. loco reliquæ hujus capituli partis habemus sequentia:

h Fpam pulçum y ppam hûnbum ne rýnt þa to étanne- þý lær þa
cpican neat þe rlit-cpealm bezete- bucan þa ane þe hý þa [rpa Y.]
rlitnerre zebizean mæzen- ac rýlle hý man hûnbum y rpinum.

² ram-robenum X.Y.

^{3&#}x27; Nır nan rɨn peah man hir unpillum blöber bɨpize or hir röbum. Y.

⁴ rýpen X. rýn Y. et proxime post: ¹ Epecar mýpten plæje nænizum men [na heopa ppýnum Y. Bx. add.] ne lýpað ac þa hýða þæpa mýptenpa neata hý heom bóð to pcón j þa pýlle [hýða Bx.] j þa hopnar hý bóð heom to nýtnýjje þeah hý hit on haliz peope bón ne pillan.'— ^h Da neat þe beoð zemenzbe to pulrum j to húnbum ne beoð þa mannum to étanne ac ppínum j húnbum ne je heopt ne je hpa zir hý beoð beabe runbene.' Y. Bx.

⁵ Mss. piò licze. 6 bazar Y. 7' pa bibbenbe X.Y. 8 pa X.

^{10&#}x27; him býð þeapr rýlrum X.Y.

 $^{^{9}}$ preprese X.

a/ Th. xxxi. 24. c/ Ib. xxxi. 22.

e// 1b. xLv. 15.

b' Ib. xxxi. 27. d' Ib. xxxi. 23. ''' Th. Cap. p. 65.

comedere: verumtamen de hoc non habemus vetus testimonium. Si quis cruentum quid comederit in semicocto cibo, si sciat, vII. dies jejunet, si nesciverit, III. dies jejunet, vel psalterium cantet. Qui sanguinem proprium inscius cum saliva sorbuerit, nullum ei est periculum. Qui comederit aliquid de eo quod canis vel mus comederit, vel quod mustela inquinaverit, et scit, centum psalmos cantet; si nesciat, L. cantet. Qui alteri dederit liquorem in quo mus vel mustela fuerint submersi, si secularis homo sit, III. dies jejunet; si monasticus sit, trecentos psalmos cantet; si antea nesciverit et postea sciat, psalterium cantet.

41. Dionysius Areopagita dixit blasphemiam id esse in Deum, si quis pro malo homine missam cantaret: Augustinus tamen dixit pro omnibus Christianis hoc esse faciendum; [quia] hoc vel hominibus ipsis mortuis bonum erat, vel petentibus, aut sacrificatori sacrificii proficiebat. Qui pro mortuo jejunat, sibi ipsi erit solatio, si mortuo non adjuverit. Deus solus scit quid mortuis suis eveniat.

Sanctus Silvester dixit, non licet acolyto ulli accusare subdiaconum ullum, nec exorcistæ ulli accusare acolytum ullum,

A lupis et canibus [lacerata] non sunt comedenda, (eo minus animalia illa, quæ lacerationem mortiferam nacta sunt) iis tantummodo exceptis, quæ a tali laceratione convalescere possint; sed dentur porcis et canibus.

Peccatum nullum est, etiamsi quis sanguinem de dentibus suis gustaret.

Græci carnem morticinam nulli [non porcis suis] permittunt, de pellibus tamen morticinorum animalium calceamenta sibi faciunt, et lanam et cornua in usum suum convertunt, tam etsi ad aliquod sanctum eis uti nolint.—Animalia, quæ lupis et canibus commista fuerint, non sunt hominibus comedenda, sed porcis et canibus; nec cervus nec caprea, si mortui inventi fuerint.

sibi ipsi necessitati erit.

[⊌] Ib. p.73.

^{√ 16.} xxxv111. 14. n. 3.

popreczan nanne acolitum ne nan dupupepo nanne pædepemid nanpe produc. And nelle pë na p man zepæznize rubdiacon ne hurl-pën ne halrepe ne dupupepo ne pædepepead di beann habbon y pir y Epirter æ pidtlice bödizanbutan eallrpa reo zepýnlice rodrærtnýr cpýd mid viii tunzon. And ne mæz man nanne diacon zepæznizan butan exxxvirum y mærre-ppeort exliii rum: nec ostiario ulli lectorem ullum, ulla accusatione. Et nolumus ut subdiaconus vel acolytus, vel exorcista, vel ostiarius, vel lector a quopiam, (licet infantes et uxorem habeat, et Christi legem recte prædicet,) damnetur, nisi (sicut arcana justitia dicit) in vII. linguis. Nec potest diaconus ullus damnari, nisi in xxxvI., et presbyter in xLIIII.

PŒNITENTIALE ECGBERTI,

ARCHIEPISCOPI EBORACENSIS.

LIBER I.

- i. Den onzino re ropma capitul hû hit zebyneo to roperceapizenne be pæne rynne mæde:
- 11. Be pam men pe on hir ýcemercan bæze hir rýnna zecýppan pýle co bæbbôce † him man pær ne pýpne:
- 111. Be pam men pe zýpneš bæbbôre j peznýrte p 15 Lpirter licháman rop beaser eze j be pam se him hir rppæc ornims æp him hir repirt to-cume:
- iv. Be pam men pe rmeað ýmbe hir rýnna anbetnýrre:
- v. Be pam be je man hine jophabban jceal on manezum pinzum hij lîşer lurca. zir he pyle hij rynna bôce habban:
- vi. Be pam de pam bæbbêran nir alyreb nænize cypinge to bjifrenne:
- vii. Be pam de je bæbbêra ærren hir bæbbôre hneopnýjje ne jceal zecýppan to pýjje populbe:
- viii. Be pam de re bæbbera ne zehealt p hir repirt him tæcd:
 - 1x. Be pam be pam bebbecan 'ne mæz beôn zerealb punh birceoper pingunga rongýrennýr:
 - x. Be pam men de zynned hurler ær oppenum lîre j err or pam yrele apîred:
 - xi. Be pam de je mæjje-ppeojt pæne bæbbetan unbepjon ne mot butan bijteopej leafan- butan he pone bijteop zepæcean ne mæxe:
 - xII. Be pam bæbbecenbum. on hpýlcum tíman him man copzignýffe bon reýle:
- хии. Ве рат men бе biб hurl ropbбben j unbep рат горбгæрб:-
- xiv. Be pam men pe rop mirlicum zýltum to hir rýnna bôte zecýppan pýle mio rulpe anbpýponýre:
 - xv. Be Iacober sepent-zeppute pser halzan Aportoler on pam rezo hû man reeal rop pone reocan man zebibban j hine mib ele rmýpuzean:

PŒNITENTIALE ECGBERTI,

ARCHIEPISCOPI EBORACENSIS.

LIBER I.

- 1. Hic incipit primum capitulum, quomodo oporteat providere, secundum peccati gradum.
- 2. De homine qui in extremo ejus die ad pœnitentiam peccatorum suorum se convertere velit, ut hoc illi non negetur.
- De homine qui desiderat pœnitentiam et viaticum, id est Christi corpus, ex timore mortis; et de eo cui sermo deficit, antequam confessarius suus advenerit.
- 4. De homine qui de confessione peccatorum suorum meditatur.
- 5. De eo, quod homini a multis vitæ suæ libidinibus abstinendum sit, si peccatorum suorum medelam habere velit.
- De eo, quod pœnitenti non permittatur mercaturam aliquam exercere.
- 7. De eo, quod pœnitens, post pœnitentiæ suæ contritionem, non debeat reverti ad hunc mundum.
- De eo, quod pœnitens non observet quod confessarius suus ei præscripserit.
- De eo, quod pœnitenti, ex episcopi interventu, remissio dari nequeat.
- De homine qui eucharistiam desiderat in extremitate vitæ, et postea ex isto malo surgit.
- 11. De eo, quod presbytero non liceat pœnitentem suscipere sine venia episcopi, nisi episcopum adire nequeat.
- 12. De pœnitentibus, quibus temporibus remissio illis danda sit.
- 13. De homine cui eucharistia prohibita est, et interim obit.
- 14. De homine qui pro diversis delictis ad peccatorum suorum emendationem se convertere velit, cum plena compunctione.
- 15. De Jacobi sancti Apostoli epistola, in qua dicitur, quomodo pro ægroto homine orandum, et ipse oleo ungendus sit.

- i. Dýt zebýpeð þ re racend rmeaze rýnrullpa manna bóte be birceoper dóme. y ne pándize he ná rop pícum ne rop heánum. Þ he him tæce rpa reo bóc him tæcð ropþan re Dælend cpæð zir re racend nolde þam rýnrullan hir rýnna bóte tæcean. Þ he ert þa raple æt him recan polde:
- 11. δἔς Ιγιδοριις cpæð. ²ħ pén pæpe ħ þær manner roðe andetnýr y zecýppednýr hobe andrenze pæpe on hir ýtemýrtan dæze. ²rophon re Dælend cpæð. on rpa hpýlcum dæze rpa re man zecýpð to hobe. líre he lýrað y ná ne rpýlteð. Fophiz nir ná to onræonienne reo roðe zecýppednýr. on rpa hpýlcum tíman rpa hit riz. ropham nah re racepð náne þeapre ħ he roppýpne þam men pihtpe andetnýrre. ropham hoð berceapað ælcer manner inn-zeþanc. y pát eallpa manna heoptena dizolnýrre: '/
- 111. Đýrer ýr þeapr. Þ re racend rpa zepadne man rperpizey hir andetnýrre zehýpe. y him hupu-þinza hurler ne pýpney þeah he mið þæpe untpumnýrre rpa zeherezod riz Þ he
 rppsean ne mæze. rpa he æp mihte. Þonne zir he zepitnýrre
 hærð þapa manna þe him mið beoð. Þ he repirter zýpnde y
 hurler. Þonne dó re racend him ropzirennýrre y hir zepihto:
- iv. 'Ing æniz' man pilnað bæbbóte to unbengónne gop hig pýnnum. Þonne tpýnað him egt pop þæna gýnna mænizgealðnýgge. y bið óppene þ he ne mæge þa bóte abenan þe hig penigt him tæcð. y poplæt hit. Þonne bið him geo óppennýg to mánan gýnne zetealð. Þonne þa gýnna þe he zeþohte to

3 hæbbe X.

4' Lir éniz X. Weniz O.

¹ piht X.Y. add.
²'' Lif hpylc mæffe-pheoft unthuman men fppæce foppynne- j he ponne on pæpe tybbepneffe fpelte- fy he on bomef-bæz pæpe faple fcylbiz. foppam Dpihten fylf cpæb- on fpa hpylcum bæze fpa fe fynfulla man zecypb bið- life he leofað- j beaðe he ne fpelteð. Seo foðe zehpynfebnef mæz beón on pæpe ytemeftan tíbe- foppam þe Dpihten ne fceapað he nalæf þ an þæpa tíba lengo- ac þa clænan heoftanfpylce fe fceaða on þæpe ytemeftan tíbe anbetneffe on anpe bephthylle zeeapnoðe- þ he mofte beón on neofxena ponzef zefean- fpam felmihtizum Lode zelæðeb. Y. Bx.

- 1. Oportet sacerdotem considerare peccatorum emendationem juxta sententiam episcopi, et non vereri potentes neque humiles, quin illis præscribat prout hic liber ei præscribit; quoniam Salvator dixit, si sacerdos nollet peccatori emendationem peccatorum suorum præscribere, se animam istam ab eo deinde requisiturum.
- 2. Sanctus Isidorus dixit, quod spes esset hominis veram confessionem et conversionem Deo acceptam fore in extremo ejus die; quoniam Salvator dixit: 'Quocunque die conversus fuerit homo ad Deum, vita vivet et non morietur.' Ideo non est rejicienda vera conversio, quocunque tempore fiat; ergo sacerdoti non opus est homini genuinam confessionem denegare; quia Deus intuetur cujuslibet hominis cogitationem et novit secreta cordium omnium hominum.
- . 3. Hoe necesse est, ut sacerdos hujusmodi hominem consoletur, et confessionem ejus audiat, et ei saltem eucharistiam non deneget; et quamvis ab illa infirmitate adeo labefactatus sit, ut loqui nequeat, sicut antea poterat, tamen si testimonium habeat illorum hominum qui cum eo sunt, quod confessionem et eucharistiam desideravisset, tunc sacerdos ei remissionem det, et ritus ejus exsequatur.
- 4. Si homo quis cupiat pœnitentiam pro peccatis suis suscipere, deinde rursus dubitet, propter peccatorum multiplicitatem, et desperet posse se emendationem perferre quam confessarius ei præscribat, et negligat-eam; tunc ei desperatio illa pro majori peccato reputabitur, quam peccata ipsa quæ confiteri cogitabat,

Si presbyter aliquis homini ægroto colloquium denegaverit, et is postea infirmitate illa moriatur, sit in die judicii ejus animæ reus, quoniam Dominus ipse dixit: 'Quocunque die conversus fuerit peccator, vita vivet, et morte non morietur.' Vera conversio potest esse in extremo tempore; quia Dominus intuetur non solum temporis diuturnitatem, sed cor purum, sicut latro in extremo tempore, confessione, uno momento promeruit, ut ei liceret esse in gaudio Paradisi, a Deo Omnipotenti conducto.

andectanne. 4 \$ 6a roplet. Ac rede pýlle mid andbhýhonýffe hir rýnna andectan. onfô fe raceho hine. 4 him þa bôte tæce þe þæp-to zebýheð. 5 feo zepúndode rapl. þe mid rýnnum bið zebunden 4 zepúndod. môte becuman to þam roþan læcedóme. 5 ir Goder ropzýfennýf:

v. An 17. ½ pe pihtpîja man hpeoprize hine rýlrne rpýlce he piố Ioò roppýpht riz. y očen 17. ½ he rophicze þa þing če hir licháman leororte rýn rop luran þær écan lîper. pophon Paulur re Aportol cpæð. ealle þing me rind alýreðe. ac híg ne rpemiað me ealle. ½ ir poplòlice pilnung. ½ hit nán þæpa manna ne rpemeð þe hit rullice begæð. pophon ir ælcum men mýcel þeapr ¾ he hir rýnna ne rophogize to andettanne oððe to bétanne. pophan æghpýlcum men ir bétepe ¾ he hir rýnna hep béte. þonne he on þam ecum tintpegum þuphpunian rcýle:

vi. Sốr Iridopur. þe þar bóc rette. rppicð ýmbe þa men þe bædbóte undepróð rop herelicum zýltum. y hpílum eapd ropbóden býð. y rező. þ him ná alýred ne býð þ he on ceáp-rtópe ænize cýpinze bezá. ne hine rýlrne ne abýrzize ýmbe náne popldice abýrzunze. æpþam de he zerýlled hæbbe þ him hir repirt tæhte:

vii. Dálize zeppitu cpečač. Š hit unzedápenlic riz Š pe bædběta ærten þam þe he hærð zebét. rpa him hir rchift tæhte. Š he hine ná on þa píran þirra poplölicha þinza ne undenþedde. Š he ærne ne beþence ýmbe þa hneoprunze þe he æn hneoprade. ronþon str Paulur cpæð. Š ¹reðe Itode rceal þeopizan. ne rceal he hýne ná abýrzian poplölicha býrzunza:

viii. Se hálza Aportol cpyt Scr Petrur. β re man te zecyrt ærter hir rynna bôte to þýrre populte idelnýrre eallypa þam húnde bið þe rpípð y ert rpýt. Dir rýnt þa idelnýrra þirre poplde ærert ir orenmetta y nið yærerta y hát-heoptnýr y rtála y druncennýr y zálrcipe y dýrne zeliznu y lýblác y zýtrung y nearlác y reinchært y man-lihtar y rela oðre þýrra zelícan. Soðlice re man reðe þar þinz bezæð ne bið he ná pýrðe ænizne zemænnýre mið

^{1&#}x27; re Lober peop pe X.Y.

et deinde neglexit. Qui vero cum compunctione peccata sua confiteri velit, suscipiat eum sacerdos, et ei emendationem præscribat, quæ casui conveniat, ut anima vulnerata, quæ peccatis vincta et vulnerata est, pervenire possit ad veram medelam, id est, remissionem Dei.

- 5. Unum est, ut justus homo pœnitentiam agat eorum, quæ erga Deum deliquerit; et alterum est, ut contemnat res illas quæ corpori suo carissimæ sunt, ex amore vitæ æternæ; quoniam Paulus Apostolus dixit: 'Omnia mihi licita sunt, sed non mihi expediunt omnia:' id est, desiderium mundanum, quod nulli eorum hominum expedit, qui id plene colunt; ideo cuilibet homini valde necesse est, ut non negligat peccata sua confiteri vel emendare; quod cuivis homini melius est peccata sua hic emendare, quam in æternis tormentis permanere.
- 6. Sanctus Isidorus, qui hunc librum instituit, de illis hominibus loquens, qui pœnitentiam pro gravibus peccatis suscipiunt, et ad tempus a patria prohibentur, dicit, quod ei non permittatur in mercatu mercaturam ullam exercere, neque occupari circa aliqua mundana negotia, antequam impleverit id, quod confessarius ejus ei præscripserit.
- 7. Sacræ Scripturæ dicunt, quod indecorum sit, pænitentem, postquam emendaverit, prout confessarius ejus ei præscripsit, in re mundanorum horum negotiorum se non cohibere, de que pænitentia, qua antea pænituit, nunquam cogitare; quoniam Sanctus Paulus dixit: 'Qui Deo vult servire, non debet occupari mundanis negotiis.'
- 8. Sanctus Apostolus Petrus dicit, quod homo qui post emendationem peccatorum suorum, ad mundi hujus vanitatem, conversus fuerit, similis omnino sit cani, qui vomit, et deinde devorat. Hæ sunt vanitates hujus mundi: primo est arrogantia; et odium, et invidiæ, et furor, et furta, et ebrietas, et lascivia, et adulteria, et maleficium, et avaritia, et rapina, et ars magica, et homicidia, et multæ aliæ harum similes: certe homo qui hæc committit non est dignus aliqua communione cum religiosis

eappærtum mannum. y þeah he to cýpican gange mið obnum mannum. ne geþpirtlæce he þ he hine to Goder peorode gehnigie. obbe Epirter lichaman underró. æpþam þe he to dædbote gecýppe. y rýðban do rpa him hir repirt tæce y pírige:

IX. Nir þam birceope ne þam racende þam men to roppýrnanne rchirter þe him þær to-zýnnð, þeah he mið þæne mæniz-realdnýrre þæne rýnne býrgunge abýrgoð rig, ropþon Iroder mildheontnýr ir rpa mýcel rpa þ nir nán eonðlic man þ mæge¹ hir mildheontnýrre apéccan. y eac re pitega cpýð þunh þone Dálgan Irart, zir re rýnrulla man zehpýnrð rham hir rýnnum to bóte, þonne bið he hál, y ert he cpýð. Andette þe rýlr þíne unniht-pírnýrre, þ þu beo zenihtpírod, y re realm-ræðe cpæð, þ mið Dnihtne rig unanímeðlicu mildheontnýr, þiz rceal re birceop y re racend mildheontlice þam rýnrullum déman, rophon nir nán man leahtoplear:

x. On þæpa hálgena Aportola lápe ir geneht. Irir re man on hir ýtemertan bæge gýpneð Epirter licháman to undepronne ne pýpne him man ná þeah he on hneóprunge æp pæpe. I hit rullice gebet næbbe rophon þ bið hir pegnýrt y ælcer þæpa manna þe to Ioder píce becýmð y gir he ert to þirum líre gehpýprð y þ gehealt þ he Iode behet y hir repirte bruce hir góder bæl y punige mið þeáp-rærtum mannum:

xi. Dam racende zedarenað roðlice. Þ he zeonnlice armeaze ýmbe þæpa manna rapla þeapre. Þe him æt bóte recað. hú he hiz pihtlicort zetpýmman mæze to Goder pýllan. J to hýpa rapla þeapre. J him bóte tæcan á be þær zýlter mæþe. J zir þa zýltar to þam herelice beon þ he to birceoper bóme tæcan þupre. tæce him þýdep. rophon Scr Azurtinur cpæð on oðne rtope. Þ zir hpá mið hearodlicum rýnnum zebunðen pæpe. Þ him man to birceoper bóme tæcan rceolde. J zir he birceop zepæcan ne mæze. Þ re mærre-preort æt þam þinzum þone birceop arpelian móte:

xII. Dar þeapar man healt bezeondan ræ mið cpirtenum

¹ ofpum X. Y. add.

² Sic X.Y. omit. O.

hominibus; et licet ad ecclesiam eat cum aliis hominibus, non audeat se ad altare Dei inclinare, vel Christi corpus accipere, antequam ad pœnitentiam se converterit, et deinde fecerit prout confessarius ejus ei præscripserit et ostenderit.

- 9. Non est episcopi nec sacerdotis confessionem homini denegare, qui eam ab eo desiderat, licet multiplicitate negotii peccati suspensus sit; quoniam Dei misericordia tanta est, ut nullus homo terrestris sit, qui misericordiam ejus narrare possit: et propheta etiam per Spiritum Sanctum dici: 'Si peccator a peccatis suis ad emendationem conversus fuerit, tunc sanus erit:' et iterum dicit: 'Confitere tibi ipsi injustitiam tuam, ut sis justificatus:' et psalmista dixit, quod apud Dominum sit innumerabilis misericordia: itaque episcopi et sacerdotis est misericorditer peccatores judicare, quoniam nemo vitiorum expers est.
- 10. In sanctorum Apostolorum doctrina dictum est, si homo, in extremo suo die, desideret Christi corpus accipere, non denegetur ei, etiamsi in pœnitentia antea fuerit, et plene non emendaverit; quoniam id est viaticum ejus et uniuscujusque eorum hominum, qui ad regnum Dei perveniunt. Et si iterum ad hanc vitam revertatur, et id observet, quod Deo et confessario suo promiserit, portione sua bona utatur, et maneat cum bene moratis hominibus.
- 11. Sacerdotem profecto decet diligenter cogitare de necessitate animarum illorum hominum, qui emendationem apud eum quærunt, quomodo rectissime illos præparare possit ad Dei voluntatem, et ad animarum illorum necessitatem; et illis emendationem præscribere, semper juxta delicti modum: et si delicta adeo gravia sint, ut necesse sit ei ad episcopi sententiam [eos] assignare, assignet eos illuc; quoniam Sanctus Augustinus dixit in alio loco: 'Quod si quis capitalibus peccatis vinctus esset, sententiæ episcopi assignetur; et si ad episcopum pervenire nequeat, ut presbytero in illis rebus episcopi munere fungi liceret.'
 - 12. Hæ consuetudines trans mare, apud populum Christianum,

a Th. x11.3. b Ib. v. vi. et n.1. c Th. Cap. p. 70.

police. I if. I selc birceop bis set his birceop-stole on hone Podner-dez he pe cephas caput inium sen Lenctene. Jonne selc hæpa manna he mis heapod-leahthe bermyten bis on hæpe reine sceal on hone dez him to cuman. I his synna him andettan. I he honne him tæcs hýpa sýnna bôte. selcum be hæs zýlter mæse. I hi spa honne be his leafe ham hpýpsas. I est on hone Dunner-dez sen Carthoù to hæpe ylcan stope ealle zeromnias. I him se birceop opensinzs I sopzýsennýsse des. I hiz spa ham hpýpsas mis hær birceoper bletrunge. Dis is hus spa ham hpýpsas mis hær birceoper bletrunge. Dis is hus seallem cellum chistenum solce. I þeahhpæþene sceal se saceps zeopnlice smeazean. Mis hpýlcene anbnýpsnýsse i mis hpýlcene sul-spemednýsse se deddeta zebét hæbbe. I him zetæht pæs. I spa him be þam sopzýsennýsse só:

xIII. In hpýlcum men bið hurl ropbóðen. I he unden þam ropð-ræpð. be þirum þingum ne cunne pe rmeagean nán oðen þing. buton hit rig on Koder dóme gelang. ropþon on Koder anpealde pær. F he butan hurle gepát:

xiv. Se man reče mid mænizrealdum leahtpum zebunden bið y þa mid anbnýndum möde y ron lure þær écean lírer andettan pýlle hir repirte y bétan rpa he him tæce pe zelýrað h he æt Lode ronzýrennýrre hæbbe:

xv. Den tæcë sër Iacobur. Þ zir hpá zeuntnumob beo. Þ he zelaþize him hir racend to. J oðne Ioder þeopar. Þ hiz him open-nædon. J re untnuma hir þeapre him recze. J hiz hine rmýnzeon on Ioder naman mið þam hálgan éle. J þunh þapa zelearrullna manna bene. J þunh þa rmýnenýrre. he mæz beon zehealden. J Djuhten hine anænð. J zir he rýnrul bið. hi beoð him ronzýrene. Dý reeal æle zelearrul mangir he mæz. Þa rmýnenýrre bezýtan. J þa zejuhto þe þæn-to zebýnizeað. ronhon hit ir apjuten. Þ æle þæna manna þe ðar zejuhto hærð. Þ hir rapl bið zelíce elæne ærten hir ronð-riðe-ealrpa þ eilð bið þe ærten hir rulluhte róna zepít:

¹ þa öe þær pýpöe beoö he arýnöneö or cýpichcan zemánan. ງ hi þeah to heopa ázenne þeanre hýpteö j tihteö. X. add.
²' to hir repirt. X.

observantur; id est, quod quilibet episcopus sit in sede episcopali sua die Mercurii, quem caput jejunii vocamus, ante quadragesimam: tunc unusquisque eorum hominum, qui capitalibus criminibus polluti sunt, in provincia ista, eo die ad illum accedere debet, et peccata sua illi confiteri; et ille tum præscribit eis peccatorum eorum emendationem, cuique pro ratione delicti sui, et ita postea, cum illius venia, domum redeunt. Et iterum, die Jovis ante Pascha, ad eundem locum omnes congregantur, et episcopus super eos cantat, et [eis] remissionem dat, et ita domum redeunt cum episcopi benedictione. Hoc ita observandum est omni populo Christiano; et nihilominus sacerdoti diligenter perscrutandum est, quanam compunctione, et quanam perfectione pœnitens emendaverit id quod ei præscriptum erat; et ita ei juxta illud remissionem det.

- 13. Si homini alicui eucharistia denegata sit, et ipse interea moriatur, de his rebus nihil aliud conjicere possumus, nisi quod ad judicium Dei pertineat; quoniam in Dei potestate erat, quod absque eucharistia obierit.
- 14. Homo qui multis criminibus vinctus est, et ea, cum animo compuncto, et ex amore vitæ æternæ, confessario suo confiteri, et, prout ipse ei præscripserit, emendare velit, credimus quod apud Deum remissionem habeat.
- 15. Hic docet Sanctus Jacobus, quod si quis infirmatus sit, ut vocet ad se sacerdotem suum, et alios Dei servos, ut super eum legant, et infirmus necessitatem suam ipsis dicat, et illeum ungant, in Dei nomine, sancto oleo, et per fidelium illorum preces, et per unctionem conservari possit, et Dominus eum suscitet, et si peccata commiserit, illa ei remittantur: ideo fidelis quisque, si possit, unctionem obtinere debet, et ritus qui ad eam pertinent; quoniam scriptum est, quod quicunque hos ritus habuerit, anima ejus æque pura erit, post obitum suum, atque infantis, qui statim post baptisma moritur.

eos qui eo digni sunt ab ecclesiastica communitate segregat, et tamen ad propriam eorum necessitatem animat et hortatur, confessario suo,

'LIBER II.

- 1. Be pam men pe piller man orrlihö:-
- 11. Be pam pirmen be hig ropligo j ponne rop eze hipe beann ropbed:
- 111. Be þam men þe hir þeopan ogrlihö gon þigðe- butan hir hunbneber zepitnýrre:-
- iv. Be pam zir pîr fliho hipe pîrman rop antan :-
- v. Be pam men pe hine rýlyne orrliho ron hpýlcene zýmelearcej be pam men pe ron hir zýltum bio zepýtnos:
- vi. Be pam men pe ûnzebâșenlice hêmő p i pið nýzenum oðde hine mið zeonzlingum bermîceð oðde pæpneð-man pið oðenne:
- vii. Be pam pe sepe bpecat. otte sep-bpsece habbat:
- viii. Be pam men pe hir sépe roplset j be pam pîre pe hipe pep roplset j odenne zecyjt:
 - ix. Be pam men pe hærð hir æpe j eac cyrere:
 - x. ²Be pam men pe hæfð hij piht æpe j zepæjt on ælþeobizum pirmen:
 - xi. ²Be pam men pe pîraö on tram zerpýjthenum. odde pîr nimb bhoduh ærteh odhum:
- xII. Be pam zir hpile pîrman beo bepebbob nir hit na alýreb p hine æniz oben man æt pam pinzum benearize:
- xIII. Be pam men pe pir obde mæben orennime mie unnihtum pingum:
- xiv. Be pam men pe pone pîrman rpam hir hlaropse arpanese pe hir picnepe bise rop ûnpihtum hæmese:
- xv. Be pam zir mæben-man bepebbob bið- j hine oþen man þær benearize hine unpiller:
- xvi. Be pam zir zehabob mæben to hæmeb-pinge zenært:
- xvii. Be unzehabeban mæbene pe to unpihtum hæmebe zepært:
- xviii. Be pam men pe on hir mazan pirab:
 - xix. Be pam hû Scr Epezopiur rppico be ûnpiheum hæmese:
 - xx. Be pam men pe zelomlice pîr-pinz bezæð:
 - xxi. Be þam hú zerinhipan hýpa þeapar healban rcýlon rop Liobe:
 - xxII. Be pam men pe opellice ping bezæő:
- xxIII. And be pam pe alyred nyr idele hpatunga to beganne:
- xxıv. Be man-rpape hû man 🗗 zebecan reyle:
- xxv. Be reale:
- xxvi. Be learne zepičnýrre:

¹ pen onginö reo o

sep b

sec mi

s hipe capitulon j mi

pam metep
r

ylgenban cy

yoan. Rubr. X. add.

² Hac rubrica cum textu minime congruit.

¹LIBER II.

- 1. De homine qui voluntate aliquem occidit.
- De muliere quæ fornicatur, et deinde ex timore infantem suum occidit.
- De homine qui servum suum furti causa occidit, absque hundredi sui cognitione.
- 4. De eo, si mulier ex invidia ancillam suam occidat.
- 5. De homine qui seipsum occidit ex incuria aliqua; et de homine qui pro criminibus suis punitus est.
- De homine qui turpiter fornicatur, id est, cum bestiis, vel se cum juvenibus polluit, vel cum alio viro.
- 7. De eo qui adulterat, vel adulteram habet.
- De homine qui uxorem suam deserit, et de muliere quæ virum suum deserit, et alium eligit.
- 9. De homine qui uxorem, et etiam concubinam habet.
- De homine qui legitimam suam uxorem habet, et ad mulierem peregrinam se convertit.
- De homine qui duas sorores in matrimonium ducit; et de muliere quæ fratrem post alterum accipit.
- 12. De eo, si mulier aliqua [viro] desponsata sit, quod non sit permissum ut alius homo ei illam auferat.
- 13. De homine qui mulierem vel puellam per fraudem constuprat.
- 14. De homine qui mulierem allicit a domino suo, cujus villicus est, fornicationis gratia.
- 15. De eo, si puella [viro] desponsata sit, et illam alius vir, invita ipsa, ei auferat.
- 16. De eo, si puella ordinata ad fornicationem se convertat.
- 17. De puella non ordinata quæ ad fornicationem se convertit.
- 18. De homine qui inter cognatas suas uxorem ducit.
- 19. De eo, quomodo Sanctus Gregorius de fornicatione loquitur.
- 20. De homine qui crebras nuptias conciliat.
- De eo, quomodo conjuges rationes suas coram Deo observare debeant.
- 22. De homine qui res hæreticas committit.
- 23. Et de eo, quod permissum non est vanas divinationes exercere.
- 24. De perjurio, quomodo emendari debeat.
- 25. De furto.
- 26. De falso testimonio.

Hic incipit secundus liber, cum capitulis suis, et cum dictis sequentibus.

xxvII. Be unzeppæpnyrre pio hir nehrtan:

xxvIII. Be hat-heoptnyffe:

xxix. Be pam men pe adar rýlo p he to rýbbe rón nelle pid hir nehrtan:

xxx. Be pam pe alýreb nýr pæniz man hir reoh to únnihtum zarole rýlle:

1. ^aSe læpeda man be odenne orrlihd butan zylte- rærte ·vii· zeap. / þa ·iii· on hlare y on pætepe. y þa ·iiii· rpa him hir repire têce. 4 ærten þæna viii. zeana bôte ærne he geopnlice hpeoprize hir miroæda. be bam dæle be he mæge. zır he pylle æτ Lode¹ ronzyrennyrre habban• ronbam hım ır uncub hu andrenze Lobe psepon hir bora. 62 zir he hit bibe unpiller. rærte .v. zean. ' 'Se man rebe pylle obenne orrlean. y ne mæz hir pýllan þuphteón. rærte 1111. zeap. án zeap on hlare you pætene. y þa 111 ppa him hir repirt tæce. Enr lépeda man neadinga man offlea. ræfte · 111. zeap. an zeap on hlare 4 on pætene. 4 ba . 11. rpa him hir renift pirize. Zir hit bio rubbiacon. rærte .v. zean. zir hit beo biacon. rærte .vii. gean. Jir hit beo mærre-pneort. rærte .x. zean. Jir hit beo birceop. rærte .xii. zeap. 4 Lir hpå hir cild orrlihd to deade ungepealber. rærte .v. zean. þa .III. on hlare 4 on pætene. 4 ba · 11 · rpa him hir repirt tece. ' Lif hpyle birceop obbe mærre-pneort man orrleg. bolize hir hader:

11. Lik phile bir påpe cilo amyno innan hipe mio opynce oboe mio objum mirlicum pingum oboe ert ropmyndped ryddan hit ropocymo ræfte ex geap þa 1111 geap on hlare on pætere. I þa evil rpa hipe replit hipe mildheoptlice tæcan pille:

111. ⁸ Gif hpýlc man hir æht opplýhð. y he náne ζεριτηήγγε næbbe β he poppopht γιζ. butan he hine pop hir hátheoptnýjfe y pop ζýmelearte opplihð. pærte ·11. Zeap:/

iv. hIr hpýle pír rop hpýleum lýppum ándan hipe pírman

¹ rulle X.Y. add.

²¹ X. omit.

- 27. De discordia cum proximo suo.
- 28. De furore.
- 29. De homine qui juramentum præstat, quod in pacem cum proximo suo redire nolit.
- 50. De eo, quod permissum non est, ut aliquis pecuniam suam injusto fœnori det.
- 1. Laicus qui alium sine culpa occiderit, vII. annos jejunet, III. in pane et aqua, et IIII. prout confessarius ejus ei præscripserit; et post illorum vII. annorum emendationem, usque delictorum suorum diligenter eum pæniteat, quantum possit, si apud Deum remissionem habere velit; quoniam ei incognitum est, quam acceptabiles Deo essent emendationes ejus: si præter voluntatem id fecerit, v. annos jejunet. Homo qui cupiverit alium occidere, et voluntatem suam exsequi non potuerit, III. annos jejunet, unum annum in pane et aqua, et II. prout confessarius ejus ei præscripserit. Si laicus invite hominem occiderit, III. annos jejunet, unum annum in pane et aqua, et 11. prout confessarius ejus ei indicaverit: si subdiaconus sit, v. annos jejunet; si diaconus sit, vII. annos jejunet; si presbyter sit, x. annos jejunet; si episcopus sit, xII. annos jejunet. quis infantem suum præter voluntatem interfecerit, v. annos jejunet, III. in pane et aqua, et II. prout confessarius ejus ei præscripserit. Si episcopus quis vel presbyter hominem occiderit, ordinem suum perdat.
- 2. Si mulier aliqua infantem suum intra se perdiderit, potu vel aliis quibuscunque rebus, vel deinde occiderit, postquam natus sit, x. annos jejunet, III. annos in pane et aqua, et VIL prout confessarius ejus misericorditer ei præscribere velit.
- 3. Si homo quis servum suum occiderit, et nullum testimonium habeat eum malefactorem fuisse, sed ex furore suo, et incuria eum occiderit, 11. annos jejunet.
 - 4. Si mulier aliqua, ex prava aliqua invidia, ancillam suam

[✓] Th. 111. 9.

[♂] *l*b. xx1. 35.

[₩] *Ib.* xxi. 2. d Ib. xxi. 19.

d Ib. xx1. 17.

[&]quot; Ib. xx1. 3.

[₩] Ib. xxi. 12.

h/ Ib. xx1. 13.

rpingő. y heo puph pa rpingle pýpő dead. y heo unrcýldig biő. rærte reo hlærdige .vii. geap. zir heo ponne gepitnýrre hæbbe. p heo rcýldig pæpe. rærte heo peah .iii. geap:/

v. *Se man þe hine rýlpne oppliho mið pæpne oððe 'mið hpýlcum mirlicum beopler onbpinge. nir hit ná alýpeð þ man pop ppýlcum men mæppan pinge. oððe mið ænigum pealm-pange þ líc eopðan bepæpte.' Done ýlcan bóm man pceal bón þam be pop hir gýlta pínunga hir lír alæt.

vi. be man he hine pið nýtenu bermít oððe pæpneð man pið oðenne mið ungerceáðlicum þinge gir he bið exx pintpa calð man. Þ he undeprandan mæg þ he þa rceámlican þing y þa smánrullan begæð gerpíce y andette y rærte exv pinten. y gir re man hir gemæccean hæbbe y he beo ext pintpa y rpylce þing begæð gerpíce y rærte þa hpíle ðe hir lír beo y ne geþjurtlæce he Þ he Dpuhtner licháman undepró æp hir endedæge. Theonge men y angytleare man rceal þeaple rpingan þe rpylce þing begað:

vii. 'In re man sepe bnico pærte vii. gean viii. dazar on pucan on hlare y on pærtene.' d'And zir pir oren hine niht hlarond odenne man hæbbe. beo heo þær ylcan pynde:.'

viii. *Se man þe hir niht æpe roplæt y oðen pír nimð he bið æp-bpēca ne rýlle him nan ppeort hurl ne nan þæpa genihta þe chirtenum men zebýpeð y zir him ropð-rið getímað ne lecze hine man na mið chirtenum mannum. And zir pír hipe piht pen roplæt y cýrð oðenne beo hiz þær ýlcan bómer pýphe þe hen buran rezð. And þa mazar be æt þam dihte pæpon þolien þone ýlcan bóm buton hiz æp to bóte zecýphan pýllan rpa hipa repirt him tæcð:

ıx. 'Se man de piht sepe hærd y eac cyrere ne rylle him

¹ pop X.

 $^{^2}$ þe
őp mőpő-pýphta- hlaropó-ppica. X. add.

³ manlıcan O. manrullan X.Y.

⁴ unpýtleare O. anzýtleare X. anzitleare Y.

flagellis verberaverit, et ex illa verberatione moriatur, et innocens sit, domina vii. annos jejunet; si autem testimonium habeat, quod nocens esset, nihilominus III. annos jejunet.

- 5. Homo si seipsum occiderit armis, vel alia quacunque diaboli instigatione, non est permissum, ut pro tali homine missa cantetur, vel cum aliquo psalmorum cantu corpus terræ Idem judicium adjudicandum est ei, qui, in criminum suorum cruciatum, vitam suam deposuerit.
- 6. Homo qui se cum bestiis polluit, vel vir cum alio, in re irrationali; si xx. annorum homo sit, ut intelligere possit se res turpes et scelestas committere; abstineat, et confiteatur, et xv. annos jejunet: et si vir conjugem suam habeat, et xL annorum sit, et res tales committat, abstineat, et jejunet quamdiu vivet, neque audeat corpus Domini accipere, ante diem suum extremum. Juvenes et insipientes fortiter flagellandi sunt, qui tales res commiserint.
- 7. Si vir adulteret, vii. annos jejunet, iii. dies per hebdomadam in pane et aqua. Et si mulier, præter dominum suum legitimum, alium habet virum, eodem sit digna.
- 8. Vir qui uxorem suam legitimam deseruerit, et aliam mulierem ceperit, adulter est; ne det ei ullus presbyter eucharistiam, neque ullum eorum rituum qui Christianum hominem decent; et si eum obire contigerit, ne ponatur cum Christianis Et si mulier virum suum legitimum deseruerit, hominibus. et alium elegerit, sit eadem sententia digna, ut supra dictum est; et cognati, qui illi consilio interfuerint, patiantur eandem sententiam, nisi prius ad emendationem se convertere velint, prout confessarius eorum eis præscripserit.
 - 9. Viro qui legitimam uxorem et etiam concubinam habet,

furi, sicario, domini proditori.

[✓] Cap. Th. p. 65.

c' Ib. xix. 5.

e' Ib. xix. 6. 12.

b' Th. xvi. 7. 12. 34. d' Ib. xix. 17.

[&]quot; Ib. xix. 33.

nan ppeopt hurl. ne nane zepuhto be man chirtenum mannum bes. buton he to bote zecyppe. I zir he cyreran hæbbe I nane puht æpe. he ah bær to bonne rpa him zepincs. Pite he beah i he beo on anne zehealden. beo hit cyrer beo hit æpe:

- x. *Ing hpyle man pið oþner piht æpe hæmð oþþe pig pið oþner demæcean pærte vill geap! þa lill on hlage y on pætene y þa lill ppa him hig genigt tæce:
- xi. Lip hpylc pîr tpezen zebnoğnu nimő hipe to zemæccanopenne ærten opnumo todó man hizo y beon hiz on ded-bôte pa hpîle de hiz lybbono ppa hipa repirt him têceo y æt hipa rond-ride do re racend him pa zepihtoo ppa man chiptenum mannum don reealo zir hiz p zehatono p hi lenz bêtan poldonozir hiz lenz lybban morton. Lip hpa on pyylcum manrullan ringcype puphpunad od hip² endeo ne cunne pe him nane bôte têcano butan hit ip æt Loder dome zelanz:
- xII. In hpýlc pír bepeddod beo nir hit ná alýred p hpýlc oðen man hine þær bepearize zir hit hpá dó beo he amánrumod:
- xIII. Lif has mid his orenchærte af odde mæden snydinga nimd to unniht-hæmede. hine unnilles. beo he amansumod:
- xiv. Lif høa mid hij lorphencum objer manner folgene fram him apæce for hæmed-þinge. I hipe unpiller pið hig hæme. Jif he bið gehadoð man. þolige hij hader. Jif he beo læpede. beo he amanfumoð:
- xv. In hpýlc mæden bepeddod bið y unden þam bið gehepgod oðde mið rumum intingum arýpped bið þam de heo bepeddod pær y hit ert gelimpe þ hig on neapýrte becumenbe leare hi móton togædene ropþon heo pær hine unpiller rpam him:

xvi. Ing hpýle pírman bið zehadod zemæneg hadeg. y heo

¹ pîrer pihe X. add.
³ nýblinga O. nýblinga X. neabinga Y.

lirer X. Y. add.
intingen X.

ne det ullus presbyter eucharistiam, nec ritus ullos, qui hominibus Christianis fiunt, nisi ad emendationem se converterit. Et si concubinam habeat, et nullam legitimam uxorem, erit ei proinde quod ipsi videbitur faciendum; sciat tamen ut cum una ei manendum sit, sit concubina, sit uxor.

- 10. Si vir quis cum alterius legitima uxore adulteraverit, vel mulier cum alterius conjuge, vII. annos jejunet, III. in pane et aqua, et IIII. prout confessarius ejus ei præscripserit.
- 11. Si mulier aliqua duos fratres, unum post alterum, in conjugium sibi ceperit, separentur, et sint in pœnitentia quamdiu vivent, prout confessarius eorum eis præscripserit; et obeuntibus illis, faciat eis sacerdos ritus sicut hominibus Christianis faciendum est, si promittant diutius se emendaturos, si sibi diutius vivere liceret. Si quis in tali nefando conjugio permanserit usque ad finem suum, non possumus ei aliquam emendationem præscribere, sed Dei judicio est relinquendum.
- · 12. Si mulier aliqua [viro] desponsata sit, non est permissum ut aliquis alius vir illam ei auferat; si fecerit hoc quis, excommunicetur.
- 13. Si quis per fraudem mulierem vel puellam invitam ceperit ad fornicationem, excommunicetur.
- 14. Si quis versutiis suis alius hominis pedisequam ab eo, fornicationis causa, allexerit, et cum ea invita coeat, si ordinatus homo sit, perdat ordinem suum; si sit laicus, excommunicetur.
- 15. Si puella aliqua desponsata sit, et interea in captivitatem ducta fuerit, vel causa aliqua ab eo erepta cui desponsata erat, et postea acciderit ut alter in alterius viciniam veniat, cum venia conjungi possunt, quia ab eo invita aberat.
 - 16. Si mulier aliqua ordinata fuerit clericali ordine, et deinde

^{*/} Th. xix. 32.

e'/ Ib, xviii. 16.

rýððan rophozize þone bnýð-zuman þe heo æp bepeddoð pærþ ir Epirt- y to popldiche idelnýrre zecýpð- y hippædene undeprehð- y þencð þ heo mið hipe æhtum y poplð-rpedon þa æbýliznýrre zebéte þe heo Itode ¹abylzð- ²nir þ naht-' ac ne mæz heo nán þæpa þinza zedón þe Itode licpýpðe beo- ne hipe nán ppeort reniran ne mót- æp heo þone rinreipe roplæte y to Epirte zecýppe- y rýððan hipe lír lýbbe rpa hipe repirt hipe tæce:''

xvii. ³ Irit hpýlc mæden-man on zereppædene mid zehábodum punað. y heo to þam ýlcan háde þence. y under þam
þuph deorler cortnunza on hæmeð-þinz zerære. ne bið heo
ná pið Irod unreýldiz. þeah heo unzehádod pæpe. ropþon de
heo æp þohte þ heo Iroder bpýd puphan polde. þonne ir hipe
mýcel nead-þeapr. Þ heo hipe mirdæda andette. y bête rpa
hipe repirt hipe tæce:

xviii. In hpyle man pirize on his nehrean mazan. obbe on his gerædepan. obbe on his bhodon lare. obbe on his steopmoder, beo he amansumad spam callum chistenum mannum. I sir he to dædbôte zecyho spa he bearse ah. bête he æspe i hpeoprize ha hpile de he beo. be bisceoper dôme: 15

xix. bIng hpá mỳnecene be Ioder bhýd bið zeháten him to pipe nimð beo heo amangumad pnam eallna zeleaggulna manna zemængupe. Dálize béc peczað þ he beo eallgpa peyldig pið Epipe ppa þær cininzer þeopa pæne zig he pið þæg cýninger zebeddan hæmde. And zig hit ahpænne ppa zelimpð ppa hit ná ne zepupðe þ æniz man þunh deogler coptnunza on-berealle todó man hi on-tpa y beo hina æzðen ægne hpeoprizende y bétende þa hpíle de hiz on líge beon eall be bigceoper dóme:

xx. 'Nir na alyred 'nanum chirtenum men b he orton pirize bonne tupa ropbon Scr Paulur hit ropbit on hir lane.

abealh X.

²¹ X. add.

S' Omit. X. 4 mannum Y. add.

⁵ In Ms. X. hoc ultimum est capitulum, quod excipit sequens de seipso librarii testimonium: Me scripsit Wulfgeatus, scriptor Wigornensis. Ora obsecro p ipsius neuis cosmi satorem. Amen. Et qui me scripsit semp sit felix. Amen.

⁶ X. Y. add. 7 Énizum X. Y.

despiciat sponsum cui antea desponsata erat, id est Christus, et ad mundanam vanitatem reversa fuerit, et familiam susceperit, et cogitet possessionibus suis et mundanis opibus, iram Dei, quam excitaverit, placare, id nihili est, nequit enim quidquid eorum facere quæ Deo grata sunt; neque ulli presbytero confessionem ejus accipere licebit, antequam conjugium suum renunciaverit, et ad Christum reversa sit, et postea vitam vivat, prout confessarius ejus ei præscripserit.

- 17. Si puella aliqua in societate cum ordinatis habitet, et se eidem ordini destinet, et interim, per diaboli tentationes, ad fornicationem convertat, non erit insons coram Deo, etiamsi non sit ordinata; quoniam antea statuerat, quod Dei sponsa fieret: tunc ei valde erit necessarium, ut delicta sua confiteatur, et emendet, prout confessarius ejus ei præscripserit.
- 18. Si quis proximam cognatam, vel matrinam, vel fratris sui viduam, vel novercam in uxorem duxerit, excommunicetur ab omnibus Christianis hominibus; et si ad pœnitentiam se convertat, prout necesse habet, emendet usque et pœniteat, quamdiu erit, juxta sententiam episcopi.
- 19. Si quis monacham, quæ Dei sponsa vocatur, sibi in uxorem duxerit, excommunicetur illa ab omnium fidelium communione. Sacri libri dicunt, quod ille erga Christum seque sons sit ac servus regis esset, si cum regis conjuge coivisset. Et si aliquando ita accidat, quod absit, ut aliquis homo, per diaboli tentationes, in id inciderit, separentur illi, et uterque eorum usque pœnitens sit et emendans, quamdiu in vivis erunt, omnino juxta sententiam episcopi.
- 20. Non est permissum alicui homini Christiano, ut plus quam bis matrimonium contrahat; quoniam Sanctus Paulus, in

[&]quot; Th. xx. 2. 3. 7.

[⊌] Ib. xx. 1.

[✓] *Ib.* xix. 13, 14, 15, 16.

y técổ ælcum men hú he ýmbe þ bón rceal. Þ ir gir hpýlcer pener ropme pír bið beað þ he be leare oðen pír níman mócegar right hipe ropman pene ropðinð gebýnige be leare heo níme oðenne gir heo þ ceoran pýle y gir heo þone orenbýt punige heo á rýððan on púdepan háðe þa hpíle ðe hýne lír rig. y gir ahpænne pen oðde pír þar þing abnecað ne ónchýpan hig ná Iroder mildheontnýrre ac gecýphon y béton rpa hýna renit him téce y pirrige:

xxi. *Dálige *béc técað hpæt æzhpýlcum zeleaffullum *men to dónne ýf. þonne he hir piht æpe æpert hám bpingð.
† if. æftep bóca tæcinge. † hi þpeopa daza y nihta fýpft hýpa clænnýffe healdan fcýlon. y þonne on þone þpiðdan dæz hýpa mæffan zeftandan. y hiz bútu hurl níman. y fýðdan hýpa fingeipe healdan fon hode y fon poplde. fpa hýpa þeaff fiz. And ælcum zefinhipum zebýpeð. † hiz hýpa clænnýffe healdon *xi. daza y nihta æp þam hálgan Caftpon. y ealle þa Caftep-pucan. y æffe Sunnan-nihte. y Podnef-nihte. y Ffize-nihte.' hAnd ælc æfæft píf healde hýpe clænnýffe *iii. monðaf æp þam beopðjæ. y æftep þæpe acenneðnýffe *ix. mihta y daga. beo hit hýpe-cild. beo hit mæðen-cild:'

xxII. 'In hpýlc man 'hir ælmerran' zeháte obbe bninge to hpýlcon pýlle. obbe to rtáne. obbe to tpeópe. obbe to ænizum obnum zerceartum. butan on Itoder naman to Itoder cýpican. pærte. III. zean on hláre y on pætene. y þeah he zeþnirtlæce ý he æt rpýlcum rtopum éte obbe bnince. y náne lac ne bninge. pærte he þeah-hpæbene án zean on hláre y on pætene:"

xxIII. dNij na rodice alýred nanum chirtenum men þ he idele hpatunga bega rpa hædene men doð. Þ ir þ hig gelýron on runnan y on monan y on rteoppena pýne y recon tída hpatunga hýna þing to begýnnanne ne pýpta gadepunge mid

¹ hype X. add.

з деррісц X.

X.Y., O. omit.

⁷¹ X. Y. add., O. omit.

² ahpæpne O. ahpenne X. hpænne Y.

⁴ pene *X.Y.*

^{6 .}XL. X.Y.

doctrina sua, hoc prohibet, et quemque hominem docet, uomodo ea de re agere debeat: id est, si cujusvis viri prima xor
mortua sit, quod cum venia aliam uxorem ducere possit; t si
supersit ei, permaneat postea usque cœlebs. Ita etiam miler,
si primi viri obitus evenerit, cum venia nubat alteri, i id
eligere velit; et si huic supersit, in viduitate postea usquepermaneat, quamdiu vivet. Et si aliquando vir vel mulier hs res
violaverit, ne desperent illi de misericordia Dei, sed convertntur,
et emendent, prout confessarius eorum iis præscripseit et
ostenderit.

- 21. Sancti libri docent quid cuique homini fideli facindum sit, cum legitimam suam uxorem primum domum duxeit; id est, juxta librorum doctrinam, ut, per spatium trium tierum et noctium, castitatem suam servare, et tunc tertio die missæ suæ adesse, et ambo eucharistiam accipere debeant, et deinde conjugium suum tenere coram Deo, et coram mundo, it ipsis necesse erit. Et conjuges omnes oportet castitaten suam servare xL dies et noctes ante sanctum Pascha, et pe totam hebdomadam paschalem, et semper nocte diei Dominici et diei Mercurii, et diei Veneris. Et quælibet religiosa mulier castitatem suam servet III. menses ante partum, et Lx. noctes et dies post partum, sit masculus infans, sit femina.
- 22. Si homo quis eleemosynam suam voverit vel attulerit ad fontem aliquem, vel ad lapidem, vel ad arborem, vel ad alias quaslibet creaturas, nisi in nomine Dei, ad ecclesiam Dei, III. annos in pane et aqua jejunet; et si præsumserit in talibus locis edere vel bibere, etsi nulla munera afferat, nihilominus unum annum in pane et aqua jejunet.
- 23. Homini Christiano certe non est permissum vana auguria facere, uti gentiles faciunt, (id est, quod credant in solem et lunam, et in cursum stellarum; et auguria temporum exquirant, ad negotia sua incipienda;) nec herbarum col-

c// Ib. xxvii. 18.

[₩] Ib. xvII. 2.

d Ib. xxvii. 17. 24. 25.

nánm zalone butan mio Paten norten y mio Enedan odde mio umon zeběde pe to Erde belimpe. En hpá par idelan pinzbezá zerpíce y andette y rærte «xl. daza» y zir he ert o pæne idelnýrre ertzehpýnre ponne rærte he «iii» lenztno:

kat. In hpylc læpede man hine popipepige y he pite be he min-ppepige pærte in geap. In he bid gemæner haderman pærte vo geap pubbiacon voi geap diacon voi mærfeppeort x. birceop xil. And gir hpa bid genydd be mar-ppepige odde he beman nyte pærte in geap i geap on hlap y on pætepe. Y in ppa hir repirt him tæce. Y gir hine ohagige geppeoge ænne man pop Ioder lupon. And gir hpa pop æniger manner ege odde lupe odde pop ænigum reeattehine popipepige dæle hir æhta beappendum mannum y rape to mynrthe. Y bete ppa hir repirt him tæce. Y hpeoprie a ba hpile be he on life beo:

xxv. The hoyle man constelle deoppunde bing, gir he bid læpede nan. pærte .v. gean. subdiacon .vi. diacon .vii. mærse-meort .x. disceop .xii.' "And gir hoyle man medeme bing stele. agyre ha stele bam de hig ahte. g sæste .i. gean on hlære g on pætene. g zir he næbde ha stele to agyranne. sæste .iii. gean on hlære g on pætene:'

xxvi. Lif hbg on learene zebitnýtle peo nýt him ng alýteo phe hurler onfo en he andette d pete tha hil tent

xxvii. Soblice nig nanum chiptenum men alyred h he on Isoder cyncean Isode lac opprizes ha hasle de he nyds obde andans odde ænize unzehamnytge hæbbe on hig heoptan pid hig hone nehrtans pophon hig lac ne beod andrenze Isode æpham de he hine gylgne zehamnze g zezladize pid hig nehrtans pophon ge Dælend camb on hig zodgrelles Isig hu lac bainze to Isoder peorodes y hu hæn zemangt h an

 $^{^{1}}$ zelapize O. zlabize X. zezlabize Y.

lectionem cum incantatione aliqua, misi cum 'Pater noster,' et cum 'Credo,' vel cum prece aliqua quæ Deo convenit. Si quis has res vanas exerceat, cesset, et confiteatur, et xl. dies jejunet; et si iterum ad vanitatem illam reversus fuerit, tunc mil. quadragesimas jejunet.

24. Si laicus aliquis perjuraverit, et sciat quod perjurus sit, IIII. annos jejunet. Si sit clericus, v. annos jejunet; subdiaconus vI. annos; diaconus vII.; presbyter x.; episcopus xII. Et si quis coactus sit perjurare, vel perjurium ignoret, III. annos jejunet, I. annum in pane et aqua, et II. prout confessarius ejus ei 'præscripserit; et si facultatem habeat, hominem, ex amore Dei, liberet. Et si quis ex timore vel amore alicujus hominis, vel pro pecunia aliqua perjuraverit, distribuat possessiones suas pauperibus hominibus, et intret in monasterium, et emendet prout confessarius ejus ei præscripserit, et usque pæniteat, quamdiu in vivis erit.

25. Si homo quis rem pretiosam furatus sit, si laicus sit, v. annos jejunet; subdiaconus vi.; diaconus vii.; presbyter x.; episcopus xii. Et si homo quis rem mediocrem furatus sit, reddat furtum ei cujus proprium erat, et annum unum in pane et aqua jejunet; et si non habeat unde furtum reddat, iii. annos in pane et aqua jejunet.

26. Si quis in falso testimonio fuerit, non est ei permissum eucharistiam accipere, antequam confessus fuerit et emendaverit, prout confessarius ejus ei præscripserit.

27. Profecto nulli Christiano homini est permissum in ecclesia Dei munera Deo offerre, quamdiu invidiam, vel malitiam, vel simultatem ullam in corde suo cum proximo suo habet; quoniam munera sua non erunt acceptabilia Deo, antequam se reconciliaverit et placaverit proximo suo; quoniam Salvator in Evangelio suo dixit: 'Si affers munera ad altare Dei, et ibi recordatus fueris, quod frater tuus,' id est quilibet Christianus

J Ib. xx1v. 8.

[✓] Ib. xx111.3.

s' Ib. x1. 3.

[⊌] *Ib*. xxiv. 7.

d/ Ib. xxiii. 2.

[&]quot; Ib. xx11. 1.

VOL. II.

bnodon. H is æle chisten man. siz unbpæne pið þe. sonkæt þæn bine låc. I za to binum bnoben. I zebpæne þe pið hine. I sýddan cume to þam peosode. I oppna Isode zecpéme låc:

xxvIII. In hpýlc man to þam hátheont riz y rtpanzmóð. Þ he to nánum poplo-pihte y rýbbe rón nelle pið þæne þe pið hine agýlt hærð. beo he amánrumað:

xxix. Se man þe ron hpylcene unzelpænnyffe pinð pi hir nehrtan. y to þon rtið bið þ he áðar rylð. Þ he to nánne rybbe rón nelle æt þam ðe pið hine azylt hærð. be he amánrumoð. Inr he þonne zecynnan pyle. y to rybbe rónrærte 11. zean ron þær áðer þinzum. y 1111. lenzttenu on hláre y on pætene. y þær zeaner oren-eátan rærte rpa him hir renirt tæce:

xxx. *Ælcum zeleaffullum men yr fondóden. Þ he hir feoh. ne hir æhta to nánum únnihtum zafole ne læne. Þ ir. Þ he hine mánan ne didde to azyranne þonne he him æn lænde. ac fon lufe y fon þeanfe læne zehpá oðnum hir feoh y hir æhta. fpa he pylle Þ man him dó. Inf hpá fon hpýlcene mánfulne zýtfunze þir dó. hálize béc him tæceað..... zeana færten. án zean on hláfe y on pætene. y þa.ii. fpa him hir fcnift tæce:

LIBER III.

- 1. Dep onzýnneň je ropma capitul be zehábobpa manna pírunze:
- 11. Be pam men de zypned racepshaber:
- 111. Ert be mærre-ppeortum:
- iv. Eft be Lober peopum:
- v. Be pam hû re racept hine healtan rceal- 7 re biacon:
- vi. Be birceopum j be offium Lober peopum:
- vii. Be pam zehábobum mannum pe hýpa reoh lænað to hýpe:
- viii. Be zehábobpa manna picnunzum:

homo, 'simultatem tecum habet, relinque ibi munera tua, et adi fratrem tuum, et reconcilia te ei; et deinde veni ad altare, et offer Deo grata munera.'

- 28. Si homo quis adeo furiosus et duro corde sit, ut nullum sæculare jus et pacem admittere velit cum eo qui in eum deliquerit, excommunicetur.
- 29. Homo qui propter simultatem aliquam certat cum proximo suo, et adeo durus sit, ut juramenta præstet, se nullam pacem admittere velle cum eo qui in eum deliquerit, excommunicetur. Si autem resipiscere velit, et pacem admittere, annum jejunet propter juramentum, et 111. quadragesimas, in pane et aqua; et reliquum anni jejunet, prout confessarius ejus ei præscripserit.
- 30. Cuilibet fideli homini prohibitum est, pecuniam suam vel possessiones suas ullo injusto fœnore mutuas dare; id est, ne poscat sibi plus reddi quam antea mutuum dederat; sed ex amore, et propter necessitatem, quisque mutuam det alii pecuniam suam et possessiones suas, prout velit ut sibimetipsi fieret. Si quis ex nefanda avaritia aliqua hoc fecerit, libri sacri ei præscribunt trium annorum jejunium, unum annum in pane et aqua, et 11. prout confessarius ejus ei præscripserit.

LIBER III.

- Hic incipit primum capitulum de ordinatorum hominum matrimonio.
- 2. De homine qui sacerdotium desiderat.
- 3. Iterum de presbyteris.
- 4. Iterum de Dei ministris.
- 5. De eo, quomodo sacerdos et diaconus se gerere debeant.
- 6. De episcopis, et de aliis Dei ministris.
- De hominibus ordinatis, qui pecuniam suam mutuam dant fœnore.
- 8. De ordinatorum hominum procurationibus.

- 1x. Be pam de zehabob man zeporcpæbene nimd pid pirman:
- x. 16rc be pam ylcan:
- x1. Be munecer mirhealorumnýrre- j mýnecýne:
- xII. Be pîrmanner penunze on Lober peorobe pe hipe to ne zebýpeď:
- хии. Ве рат в ælc raceps reeal cunnan hir дерінсо:
- xiv. Be pam de Sci Azurtinur rende to Rome to Sce Epezopie j Sci Epezopiur him andrpape rende:
- xv. Be pam p pam racepse naht ne rpemas p he pihtpir beo gip he pam unpihtpiran nele hypa unpihter rtypan:
- xvi. Be mærre-pneorter bnohtnunge:
- i. In mærre-preort odde diacon pirize þolizon hýpa háder y zir hiz ærten þam hæmed-þinz bezað ná þ án þ hiz behádod rýnt ac eac rpýlce rærton vii zean be birceoper dóme:
- 11. In mærre-preort zeleahtrod pær mid hearodicum zyltum. En he zehadod pære. I he j En andette I betterpa hir repirt him tæhte. Zir he ert. ryddan he zehadod biðba ylcan leahtrar bezæð. Ine mót he ænize þenunge æt Iroder peorode dó. ac punize him eller mid zemæner hader mannum. I zir he cýrnan pýle. bete rpa re birceop him tæce:
- III. Lift mærre-pheort obde biacon man orrlea. obde hig roprpepigen. polizon hipa hader. γ zir hig to bote zecýppan pýllon. beton be þær birceoper dome:
- iv. Goder racepdar y diaconar y odne Goder beopar be on Goder temple Gode benigan region y háligdóm y hálige béc handligan þa region rymble hýpa clænnýrre healdan bonne gir ænig rpa genáð man on hæmeð-þing berealleandette hir renifte y béte rpa he him tæce roppon re Dælend epæð. Beon ge hálige roppon þe ic Djuhten God y eopen hlaropð eóm hálig:

¹ in Y. deest, nec textui congruit.

² zehádod O.X. behádod Ý. ³ leahtpum X.Y. ⁴ pe he sep býce ne bið ná pýpðe † he X. pe he sep bette ne bið he ná pýpðe † he Y.

- De eo, quod ordinatus homo in consortium cum muliere intret.
- 10. Iterum de eodem.
- 11. De monachi et monachæ inobservantia.
- 12. De mulieris ministerio ad altare Dei, quod ei non conveniat.
- 13. De eo, quod quilibet sacerdos officia sua nosse debeat.
- 14. De eo, quod Sanctus Augustinus Romam miserit ad Sanctum Gregorium, et Sanctus Gregorius ei responsum miserit.
- 15. De eo, quod sacerdoti nihil prosit, quod ipse justus sit, si injustos pro injustitia eorum corrigere nolit.
- 16. De presbyteri conversatione.
- 1. Si presbyter vel diaconus uxorem duxerit, perdant ordinem suum; et si postea fornicati fuerint, non solum ordine priventur, sed etiam vii. annos jejunent, juxta sententiam episcopi.
- 2. Si presbyter vitiatus esset capitalibus criminibus antequam ordinatus sit, et ea prius confessus sit et emendaverit, prout confessarius ejus ei præscripserit; si iterum, postquam ordinatus sit, eadem vitia committat, non ei licebit ministerium ullum ad altare Dei facere, sed maneat alioquin cum clericis; et si resipiscere velit, emendet prout episcopus ei præscripserit.
- 3. Si presbyter vel diaconus hominem occiderit, vel perjuraverit, perdant ordinem suum; et si ad emendationem se convertere velint, emendent juxta sententiam episcopi.
- 4. Sacerdotes Dei, et diaconi, et alii Dei ministri quos in Dei templo Deo servire oportet, et reliquias et sacros libros manu tractare, castitatem suam usque servare debent; si igitur hujusmodi homo quis in fornicationem inciderit, confiteatur confessario suo, et emendet prout ei præscripserit; quoniam Salvator dicit: 'Estote sancti, quoniam ego Dominus Deus et Dominus vester sum sanctus.'

ы *Ib.* ххі. 17.

- v. Da racepdar y þa diaconar y þa Iroder þeopar þe hig rýlre nellað ne ne magon rop Irode þa clænnýrre healdan þe him beböden ýr arcýpize man hig rpam þæpe þenunge þe clæne men on Iroder húre Irode þenigað y gir hi þonne gecýppan y andertan pýllað beton rpa hýpa repirt him tæce:
- vi. Soblice eallunga if pophoben on halgum bocum ælcon bifceope y abbobe y mæffe-pheofte þing nanef pifmannef neaperte mið him næbbon. He eac frylce ælcon Godef þeope þe on clænnýffe Gode þeopigan frýle ýf pophoben þine hif magan ne obenne pífman pop nanef peoplef þingon inne mið him næbbe þi læf he þuph beoflef coftnunge þænon gefingige:
- vii. In birceop. obbe abbod. obbe mærre-preoft. obbe hpylc Ioder peop. lænd hir rech to tinnihtum zarole. I ne zeman hpæt re Dælend cpæd. puph Dauid kone realm-recop he cpæd. Da reylon hir racer brucan de hyra rech to nanum tinnihtum zarole ne ryllad. Zir hpå bir abrico. ne bid he pyrde h he hurl underro. Erham de he hit zebete. rpa hit hen buran apriten yr. h ir. 111. zeana rærten:
- viii. Nýr nánum mærre-preorte alýred ne diacone þ hi zenéran beon ne pícnepar ne ýmbe náne poplo-býrzunze abýrzode beon buton mid þæne þe hiz to-zetítolode beoð:
- ix. Se piht Irober þeop. þe mið Irober þeopbôme abýrgoð býð. ne gebýpeð him ná to rápenne rpam rtope to rtope. ne rpam húre to húre. pírmanner neaperte gýpnende. butan hir lápeoper leáre. þonne gir hpá þýrne gepunan hæbbe. gerpíce y béte. rpa hir rcpirt him tæce:
- x. Se munuc þe hine rýlfine Itode behæt. y þone hálgan negol undenrehð. ne gedarenað him na þ he æniger popildicer pýpdinýnter gýpne. odde þ abnece þ he Itode behæt. 'gir he þir deð. gerpice y bæte rpa him birceop tæce:/
- xı. Qunuc y mýnecenu þe Lode rýlrum beoð zehálzode. y hýna zehát Lode zeháten habbað. zir hi þonne þunh deorler

¹¹ beo he amangumab ppam eallum zeleappullum mannum. X.Y.

- 5. Sacerdotes, et diaconi, et servi Dei, qui ipsi nolunt, nec possunt, coram Deo castitatem servare, quæ eis injuncta est, abscidantur a ministerio, quo homines puri in domo Dei Deo ministrant; et si postea resipiscere et confiteri velint, emendent prout confessarius eorum eis præscripserit.
- 6. Certe omnino est prohibitum, in libris sacris, cuique episcopo, et abbati, et presbytero, ne mulieris alicujus societatem secum habeant. Imo etiam simili modo cuique Dei ministro, qui in castitate Deo servire debet, est prohibitum, ne cognatam suam, neque aliam mulierem, ullius operis causa, intus secum habeat; ne, per diaboli tentationem, in ea re peccet.
- 7. Si episcopus, vel abbas, vel presbyter, vel quilibet Dei minister, pecuniam suam injusto fœnore mutuam dederit, et non recordatus sit ejus quod Salvator, per Davidem psalmistam, dicit: 'Ii regno illius fruentur, qui pecuniam suam nullo injusto fœnore mutuam dant;' si quis hoc violaverit, non erit dignus ut eucharistiam accipiat, antequam emendaverit, prout hic supra scriptum est, id est, per jejunium trium annorum.
- 8. Nulli permittitur presbytero nec diacono, ut sint præfecti vel procuratores, vel mundano negotio ullo occupati, nisi illo cui nominati sint.
- 9. Verum Dei ministrum, qui Dei ministerio occupatus est, non decet de loco in locum, nec de domo in domum commeare, mulieris societatem desiderantem, sine doctoris sui venia; si igitur quis hanc consuetudinem habeat, cesset, et emendet, prout confessarius ejus ei præscripserit.
- 10. Monacho qui seipsum Deo voverit, et sanctam regulam susceperit, non convenit mundanum quemquam honorem desiderare, vel id quod Deo voverit violare; id si faciat, cesset, et emendet, prout ei episcopus præscripserit.
- 11. Monachus et monacha, qui Deo ipsi sunt consecrati, et votum suum Deo voverunt, si postea per diaboli tentationem id

cortnunge p abpecade beon his arcynede rpam eallum gehabodum mannum. y gir his to Gode secyppan pyllade pe his
ep pidrocone andetton y beton pa hpile pe his on life beone
rpa him pæpe reipe birceop tæce:

xII. Lelómlice pe habbað zenæð on hálzum bócum. Þ hit nýr piht þæniz læpeðe pír únrýrne Loder zenýno on Chirter peorode handlizan reýle. ne þa hálzan béc. ne þone hálizdómþe zehálzode men handlizan reýlon. ropþon Ser Paulur hit hærð rpýþe ropbóden:

xIII. Elcon racepde zebýpaď f he cunne þa¹ lápe þe to hir ²hálzan háðe belimpő. y rolc mið læpan y trýmman ræal to Goder nihte. y to hýpa raple þeapre:

xiv. Sona rpa Scr Azurtinur on Engla beode rulluht zebnoht hærde. 4 hoder beopar zehpæn zerett 4 zeendebynd hærde pa rende he ænend-zeppit to Rôme to See Enezopie be da pær papa. 4 bæd hine b he him rende on zepnite. hû him to bonne pæpe ýmbe þa nihtlican bermítennýrre þe ron ort mannum on rlæpe zelimpo. hpæben he bær on monzen to hurle morte gan. obbe hurl halgian. zir he mærre-preort pæne. 4 he him pîrlice andrpane rende. 4 cpæd. B ælc Loder peop zeopnlice ³rmeazean rceolde' rpam hpylcum pinzum reo nihtlice bermýtenýr cume· ropbam or þným þingum heo cýmð pam rlæpendan on mode. hpýlum rop þæpe zecýndelican untnumnýrre y týddennýrre hpýlum ron orenrlopennýrre æter 4 δnincer· hpýlum eac β re man zebencő 4 rmeað on bær idele þing y finalýredlice. Þonne þ he on bær gebencð pacizende. F him becýmo rlæpende on niht. Donne zir hva bermyten beo on rperne ron bæne rlærclican tyddennýrrenah he bær zepeald. þingie him zeonne pið Lod. 4 him æt Lobe ronzýrennýre bidde. And zir hit zelimpő ron orenrlopennýrre meter obše bruncer he býð zýltiz 4 nýr him beah hurl to ronbeodanne ne mærre to ringanne. gir he mærre-pneort býð. ζις hit orenneod beo. 4 þæn oben racend ne beo β þa þenunga ronð-δώ gir þæn þonne oðen beo β þa. benunza don mæze. betene him ir b he bær dæzer hit ronza.

¹ halgan X.Y. add.

^{3/} X. Y. rmease O.

violaverint, abscidantur ab omnibus ordinatis hominibus; et si ad Deum reverti velint, quem antea renunciaverant, confiteantur et emendent, quamdiu in vivis erunt, prout episcopus provinciæ iis præscripserit.

- 12. Sæpe legimus in sacris libris, quod non sit rectum, ut mulier ulla laica impura Dei mysteria super altare Christi tractet, nec sacros libros, nec reliquias, quæ viris consecratis tractanda sunt, quoniam Sanctus Paulus id vehementer prohibuit.
- 13. Quemque sacerdotem decet nosse doctrinam, quæ sancto ejus statui convenit, eamque populum debet docere, et parare ad Dei justitiam, et ad animæ eorum necessitatem.
- 14. Simul ac Sanctus Augustinus in Anglorum nationem baptisma introduxerat, et Dei servos ubique collocaverat, et ordinaverat, tunc misit epistolam Romam, ad Sanctum Gregorium, qui tunc papa erat, eumque rogavit, ut per scriptum ad se mitteret, quomodo sibi agendum esset de nocturna pollutione, quæ persæpe hominibus in somno accidit; utrum liceret ei crastino die eucharistiam accipere, vel eucharistiam consecrare, si presbyter esset? Et ille ei prudens responsum misit, et dixit, quod cuilibet Dei ministro sedulo considerandum esset, ex quibus causis nocturna pollutio evenerit? quia ex tribus causis venit dormienti in animum: nunc ex naturali infirmitate et imbecillitate, nunc ex superfluitate cibi et potus, nunc etiam, quum homo per diem cogitat et meditatur res inanes et illicitas, tunc quod die vigilans cogitat, id ei dormienti nocte obvenit. Itaque si quis in somno pollutus sit ex carnali imbecillitate, non est hoc in ejus potestate; oret pro se ferventer Deum, et a Deo remissionem sibi petat. Et si ex superfluitate cibi vel potus acciderit, culpabilis est, et tamen non est eucharistia prohibendus, nec missæ cantu, si presbyter sit, si valde necesse sit, et alius non adsit sacerdos, qui ministeria illa præstare queat; si autem alius adsit, qui ministeria illa præstare queat, melius erit ei eo die illa omittere, et ferventer psalmorum cantu et eleemosynis sibi remissionem petere. Si autem tertio modo acciderit,

y him zeopne mid hir realm-range. y mid ælmýrran. popzýrennýrre bidde. Kir hit bonne on þa þjuddan píran zelimpð. Þ re man on dæz zereo. odde zebence. odde rmeaze. ýmbe únalýredlice þing. y idele lure þæp-tó nimð. y lurt-bæpnýrre. y þonne þuph Þ y þuph deorler hipunga bermýten bið on rlæpe. nýr þam alýred hurl to nímanne þær monzener. Þe him on niht rpa zelimpð. ac he ah þeapre Þ he andette y bæte. rpa him hir renirt tæce:

xv. Den rező hú re hálza Aportol Paulur lænő ælcum mærre-pneorte. Þe Goder rolce to 'láneope byð zerett. Þ hýna nán ne pándize pon náner manner eze. *ne pon lure. ne pon rceame.' ne pon nánum rceatte. Þ hiz ne bodizan ælcum men hpæt him riz to bönne. I hpæt to ponzánne. Zir hiz rýlre pýllað. Þ him beo zebonzen on bomer dæz beronan Gode rýlrum:

xvi. Elc mærre-pneort reeal beon rpa he zehaten ir. racepdor. ի որ Lipecirc popd. Կ yr on Leden racpum danr. Կ on unum zepeode háliz rýllend. De rceal rýllan háliznýrre pam rolce be he to laneope 4 to hynde bud zeret. b ir. b he rceal halize peapar y byrena mannum ætypan. Pannize hine be him ne beo zecpeden be ezerlice pond be re Dælend cpæd be Irpahela rolcer hypoum. pa he cpæb. Pa eup hypoum. репа épena meolc де bnucon. ч mid hýna pulle де eop rcnýbbon. 4 ba be rætte pænon ba ze rmbon. 4 ba be unrenanze pænon ba ze ne zerenanzebon. ne ba panhalan ze ne lacnebon. 4 ha be ronbhocene pænon ha ze ne pribon. 4 ha de torceadene pæpon ha ze ne ramnedon. 4 ha roplopenan ha ze ne rohton. Nu ir eall min heond torceacendo rondon hix nærdon nanne hypde. Υ rynd zepopdene eallum pildeopum το mete. Call bir ir zecpeden be birceopum. 4 be mærrepneorcum. he Loder role on domer dex to ham dome ledan rcylon. ælc bone bæl þe him sæn on life betæht pær:

¹ X. lane O.Y.

quod homo per diem videat, vel cogitet, vel meditetur res illicitas, earumque vanum desiderium et cupidinem contrahat, tunc et inde, et per diaboli figmenta, polluatur in somno; non est ei permissum eucharistiam percipere, crastino die postquam ei nocte hoc acciderit; sed necesse erit ei confiteri et emendare, prout confessarius ejus ei præscripserit.

15. Hic dicitur quomodo sanctus Apostolus Paulus docet quemlibet presbyterum, qui ad populum Dei docendum constitutus est, ut nullus eorum ex timore alicujus hominis, nec pro aliqua pecunia, vereretur cuilibet homini prædicare quid illi faciendum, et quid vitandum sit; si ipse velit esse securus, in die judicii, coram Deo ipso.

16. Quisque presbyter debet esse, sicut vocatus est, 'sacerdos,' id est verbum Græcum, et Latine sonat 'sacrum dans,' et in sermone nostro hálız rylleno. Ipse sanctitatem dare debet populo, cui præceptor et pastor constitutus est; id est, quod sanctos mores atque exempla hominibus ostendere debet. Caveat sibi ne de eo dicatur verbum illud terribile, quod Salvator dixit de pastoribus populi Israelis, inquiens: 'Væ vobis pastoribus, ovium lacte fructi estis, et earum lana vos vestivistis, et quæ pingues erant, eas mactavistis, et quæ infirmæ erant, eas non corroboravistis, neque ægras sanavistis, et quæ fractæ erant, eas non ligavistis, et quæ dispersæ erant, eas non collegistis, et perditas non quæsivistis. Nunc omnis grex meus vastatus est, quoniam non habebant pastorem, et cibo facti sunt omnibus bestiis feris.' Omne hoc dicitur de episcopis, et de presbyteris, qui Dei populum, in die judicii, ad judicium ducere debent; quisque portionem illam, quæ ei antea in vita commissa erat.

³ hep X. Y.

LIBER IV.

Dýt if þeah to pítanne hpi þeof feorþe bóc fiz úncapituloð nu þa æppan béc fýnt zecapituloðe. Þ if. forþon þe þeof feorðe bóc ýf zenumen of þam þpim. Zif hit man paðe findan ne mæz on þam þpim. Hit man fint on þæpe feorþanæzðen ze be mápan þinzon ze be læffon. openlicon y hpæðlicon:

- 1. * Irif hpýlc birceop man orrlea. polize hir háber. y rærte •xii. zeap. pa •vii. on hláre y on pætepe. y pa •v. · ·iii. δαzar on pucan. y pa oppe bruce hir meter:
- 11. a Lif mæfre-pheoft obbe munuc man offles bolize hir hader y pæfte x. zeap. þa v. on hlare y on pætepe. y þa obpe v. 3 · 111. dazar on pucan. y þa obpe bhuce hir meter: 4
- 111. b Ing diacon man opples polize high hader y pærte vitte gean pa 1111 on hlage y on pætene y pa 1111 pærte 1111 dagar on pucan y pa odne bjuce high meter:
- iv. Eif clepic man offles færte vi zeap þa iiii on hlare y on pætepe y þa iii færte iii dagar on pucan y þa oðpe bruce hir meter:
- v. d'Eir lépede man man orrlea pærte v. zeap þa 111. on hláre y on pætene y þa 111. rærte 1111. dazar on pucan y þa oðne bnuce hir meter:
- vi. °Ing hpá zehádodne man oppleá odde hig neahrtan mæzpoplæte hig eapd' y hig æhta. y gápe to Rôme to þam pápany dó gýddan gpa ⁵ge pápa him tæce:/

¹ bocum X.Y. Bx. add.

 $^{^{2\}prime}$ j † man on þam þpým hpaðe rinban ne mæg X.Y.Bx. 3 rærte X.Y. add.

⁴ γ peoprize hir mirbæba ærne. Bx. add.

by the paper him privite X. Bx. It peoplites hit settle Bx. add. he him privite Y.

a' Th. Cap. p. 81.

c' Ib. xxi. 16.

b' Th. xxi. 17. d' Th. Cap. p. 76.

LIBER IV.

Attamen sciendum est, quare liber hic quartus sit sine capitulis, cum priores libri capitulis instructi sint; id est, quia hic quartus liber ex tribus illis desumtus est: si quid cito in tribus illis inveniri non potest, id invenitur in hoc quarto, tam de majoribus rebus quam minoribus, manifestius et celerius.

- 1. Si episcopus quis hominem occiderit, perdat ordinem suum, et xII. annos jejunet; vII. in pane et aqua, et v. III. diebus per hebdomadam, et reliquis fruatur cibo suo.
- 2. Si presbyter, vel monachus hominem occiderit, perdat ordinem suum, et x. annos jejunet; v. in pane et aqua, et alios v. 111. diebus per hebdomadam, et reliquis fruatur cibo suo.
- 3. Si diaconus hominem occiderit, perdat ordinem suum, et vii. annos jejunet, iiii. in pane et aqua, et iii. jejunet iii. diebus per hebdomadam, et reliquis fruatur cibo suo.
- 4. Si clericus hominem occiderit, vi. annos jejunet, 111. in pane et aqua, et 111. jejunet 111. diebus per hebdomadam, et reliquis fruatur cibo suo.
- 5. Si laicus hominem occiderit, v. annos jejunet, III. in pane et aqua, et II. jejunet III. diebus per hebdomadam, et reliquis fruatur cibo suo.
- 6. Si quis ordinatum hominem occiderit, vel proximum suum cognatum, discedat a patria sua, et a possessionibus suis, et adeat Romam ad papam, et faciat postea prout papa ei præscripserit.

et quod in tribus illis statim inveniri non potest,

et usque pœniteat se delictorum suorum. papa ei indicaverit, et usque pœniteat. vII. * In hyjle birceop hæmeð-þing dpihð. oðde æpe bpieðpærte • XII. geap. 9 mærre-ppeort 9 munuc • X. geap. 9 diacon
• VII. 9 clepic • VI. geap. 9 læpeðe man • V. geap. 7 pa hép
buran appyten ir be manrlihte:

viii. 36 Ing hpylc zehádod man. birceop. odde mærre-pheort. odde munuc. odde diacon. hir zemæccan hærde. æp he zehádod pæpe. 4 þa pop Iroder luran hiz poplet 4 to háde penz. 4 hiz þonne ert rýddan tozædene hpyprdon þunh hæmed-þinz. pærte ælc be hir endebýndnýrre. 7 pa hit buran apputen ýr be manrlihte: "

ix. ° Lif hpá hæme pið mýnecýne þe Lode rýlfum bepeddod bið to bhýde. ζif hit birceop δ bið. færte ·xii. ζeap. þa ·vii. on hláre y on pætepe. y þa ·v. færte ·iii. daζar on þæpe pucan on hláre y on pætepe. y þa oðpe bhuce hir meter. β butan rlærce ánum. And færte ælc be hir endebýpdnýrre. eallrpa hép buran appiten ýr' be man-rlýhte. And reo mýnecýnu færte ·x. ζeap. eallrpa hép buran be mærre-ppeortum appiten ýr:"

x. In hpýlc man poloe hæman pið mýnecýne y heo geþarigan noloe- pærte án geap- rop þam unpihtan pýllan- on hláre y on pætepe:

жі. Бір hpa polde heman pið oðner manner juht æpe. у heo geþarigan nolde. pærte ron hir unnihtan pýllan ·ііі. leng-

^{&#}x27;' Lip birceop offe mærre-ppeort hæmon polian heopa haber offe hpæblice blinnon. Y. Bx.

² pærte ælc be hir enbebypbnerre eal X. Y. add.

^{3//} Y. omit.

⁴ hep X. add.

⁵ beb X.Y.

^{**}d Lif hit bið mæffe-pheoft oððe munuc pæfte ·x. zeap. þa ·v. on hláre j on pætepe. j þa ·v. pæfte ·111. bazar on pucan on hláre j on pætepe. j þa oðpe bhuce hij metej. butan flæfce ánum. Lif hit bið biacon pætepe ·vii. zeap. þa ·1111. on hláre j on pætepe. j þa ·1111. pæfte ·1111. bazar on pucan on hláre j on pætepe. j þa oðpe bhuce hij metej. buton flæfce ánum. Lif hit clepic oððe læpebe man beo pæfte ·vi. zeap. þa ·1111. on hláre j on pætepe. j þa oðpe bhuce hij metej. butan flæfce ánum. j jeo mýnecenu pæfte heo ·x. zeap. ealljpa hen bujan be þam mæfje-pheofte appiten ij. Y. Bx.

- 7. Si episcopus quis fornicationem commiserit, vel adulteraverit, xII. annos jejunet; et presbyter, et monachus x. annos; et diaconus vII.; et clericus vI. annos; et laicus v. annos, prout hic supra de homicidio scriptum est.
- 8. Si quis ordinatus homo, episcopus, vel presbyter, vel monachus, vel diaconus, conjugem suam habuisset, antequam ordinatus esset, et eam ex amore Dei dereliquerit, et ordinem susceperit, et tunc postea per fornicationem iterum se conjunxerint, jejunet unusquisque, secundum ordinem suum, prout supra de homicidio scriptum est.
- 9. Si quis fornicatus fuerit cum monacha, quæ Deo ipsi desponsata sit in sponsam, si sit episcopus, xII. annos jejunet, vII. in pane et aqua, et v. jejunet III. diebus per hebdomadam in pane et aqua, et reliquis fruatur cibo suo, excepta carne sola. Et quilibet jejunet secundum ordinem suum, prout hic supra de homicidio scriptum est. Et monacha x. annos jejunet, prout hic supra de presbyteris scriptum est.
- 10. Si homo quis cum monacha fornicari vellet, et illa consentire nollet, unum annum, pro illa prava cupidine, in pane et aqua jejunet.
- 11. Si quis cum alterius hominis legitima uxore fornicari vellet, et illa consentire nollet, pro prava sua cupidine, 111. qua-

Si presbyter sit, vel monachus, x. annos jejunet, v. in pane et aqua, et v. III. diebus per hebdomadam in pane et aqua, et reliquis fruatur cibo suo, carne sola excepta. Si diaconus sit, vII. annos jejunet, III. in pane et aqua, et IIII. III. diebus per hebdomadam jejunet in pane et aqua, et reliquis fruatur cibo suo, carne sola excepta. Si clericus vel laicus homo sit, vI. annos jejunet, III. in pane et aqua, et reliquis fruatur cibo suo, carne sola excepta. Et monacha x. annos jejunet, prout hic supra de presbytero scriptum est.

Si episcopus vel presbyter fornicati fuerint, perdant ordinem suum, vel continuo cessent.

jejunet, quisque secundum ordinem suum.

tenu 'on hlare y on pætene. an lencten' ronan to middanrumena. 4 oben to henterter emnihte. 4 phiose to middan-pincene:

xii. Lif hpa pylle pið pirman unnihtlice hæman. 4 heo zebarizan nelle. rærte .xl. baza. 4 .xl. nihta. on hlåre 4 on pætene:

xiii. In hpýlc man neárize obenne æt hir behten. béte pib ра групо ч гærte hypa æzбер п деар. Podner-bazum ч Fruze-bazum. on hlare 4 on pætene. 4 ha obne bazar brucon hýpa meter buton rlærce y níme hiz rýdďan sto piht-æpe. zir þa rnýnd pýllað:

xiv. *Tir hpýlene man deorul to þam rpýþe undengán hæbbe. H he pið dumbe nýtenu hæme. andette hir repirte 4 rærte ·xv· zean· þa ·viii· on hláre 4 on pætene· 4 þa ·vii· rærte ælce geape III lengtenu on hlare 4 on pætene an lengten En Carthon 4 oben oren Pentecorten 4 buide En middan-pintpa. y ærne rærte Podner-bazum y Fnize-bazum. ba høile be he lybbe:

xv. Lif hpa on zepunan hæbbe b he hine rylfne bermite hir azener piller. rærte . III. zean. on ælcon bæna zeana . III. lenztenu on hláre y on pætene. y þa oðne bazar ronzanze ælce bæze plærc. buton Sunnan-bæze anum:/

xvi. 'In tenix man obenne mid piccecpærte rondo rærte ·vii· zean ·iii· on hlare y on pætene· y ba ·iiii· ·iii· bazar on pucan on hlare 4 on pætene:

xvii. Lif hpá bhíre reacan on senigne man. rærce . 111. geap. 4.1. zeap' on hlare 4 on pætene. 4 þa .11. rærte on pucan .111. dagar on hlare 4 on pætene. And gir re man ron bæne reacunge dead bib. bonne rærte he vii. gean. eallrpa hit hep buron apputen yr:

xviii. d Lif hpa piccize ymbe Enizer manner lure. 4 him on Éte rýlle obbe on bnince obbe on Enizer cýnner zealbop-

^{1&#}x27; O. omit. X. add.

³ on O. to X.Y. Bx.

^{2&#}x27; O. omit. X.Y. add.4' O. omit. Y. Bx. add.

dragesimas in pane et aqua jejunet; unam quadragesimam ante mediam æstatem, et alteram ante æquinoctium autumnale, et tertiam ante Natale Domini.

- 12. Si quis cum muliere illicite fornicari voluerit, et illa consentire noluerit, xL dies, et xL noctes, in pane et aqua jejunet.
- 13. Si homo quis alterum filia sua spoliaverit, emendet erga amicos, et uterque eorum annum 1. jejunet, diebus Mercurii et Veneris in pane et aqua, et reliquis diebus cibo suo fruantur, excepta carne; et ducat eam postea in uxorem legitimam, si amici voluerint.
- 14. Si diabolus hominem aliquem adeo perdiderit, ut cum mutis bestiis coeat, confiteatur confessario suo, et xv. annos jejunet, viii. in pane et aqua, et vii. jejunet quoque anno iii. quadragesimas in pane et aqua, unam quadragesimam ante Pascha, et alteram post Pentecosten, et tertiam ante Natale Domini; et diebus Mercurii et Veneris usque jejunet, quamdiu vivet.
- 15. Si quis consuetudinem habeat seipsum sua sponte polluere, III. annos jejunet; eorum annorum quoque III. quadragesimas in pane et aqua, et reliquis diebus quotidie a carne se abstineat, solo die Dominico excepto.
- 16. Si quis alterum veneficio perdiderit, vII. annos jejunet, III. in pane et aqua, et IIII. III. diebus per hebdomadam in pane et aqua.
- 17. Si quis acus in homine aliquo defixerit, 111. annos jejunet, 1. annum in pane et aqua, et 11. jejunet 111. diebus per hebdomadam in pane et aqua. Et si homo ex illa punctura mortuus sit, tunc v11. annos jejunet, prout hic supra scriptum est.
- 18. Si quis veneficiis utatur, alicujus amoris gratia, et ei in cibo [quid] dederit, vel in potu, vel per alicujus generis

[&]quot; Th. xvi. 7. 34.

J. Ib. xxv11. 9.

b' Ib. xxviii. 3.
d'' Ib. xxviii. 10.

VOL. II.

chæftum. Þ hýpa luru rophon þe máne beón rcýle. Jir hit læpede man bó. pærte healt gean. Podner-dagum y Fjuge-dagum. on hláre y on pætene. y þa oðne dagar bhuce he hir meter butan tlærce ánum. Int hit bið clepic. pærte 11. gean. 11. dagar on pucan on hláre y on pætene. y þa oðne dagar ropgange tlærc. Int he beo diacon. pærte 111. gean. tpegen dagar on pucan on hláre y on pætene. y þa oðne dagar ropgange tlærc.' Int hit beo mærte-pheort. pærte 111. gean. Þán on hláre y on pætene. y þa 1111. ælce Fjuge-dæge on hláre y on pætene. y ælc þana oðna daga ropgange tlærc:''

xix. • Lif hpá hlýtar obbe hpatunga begá obbe hir pæccan æt ænigum pýlle hæbbe obbe æt ænigne obne gercearte buton æt Loder cýnicean • pærte he •111 • gean • þá non hláre y on pætene • y þa •11 • Podner-dagum y Fjuge-dagum on hláre y on pætene • y þa obne dagar bjuce hir meter • buton plærce ánum:

xx. ^b Pîrman beo þær ýlcan pýnŏe· zir heo tilað hipe cilðe mið ænizum piccecnærte· oðŏe æt peza zelæton² þunh þa eonŏan tihð· ³eala †′ ýr mýcel hæðenrcýpe: "′

xxi. 'In hpýlc pír mið hipe bjince hipe beann on hipe pýlrne ropðó hipe agener pýller oððe mið ænigum þingum hit amýppe pærte heo vii gean þa iii on hlare y on pætepe. 'y þa oðne bjuce hir meter buton rlærce anum:'

xxII. ^d Inp hpylc læpede man odenne pundige gebete pid hine þa ⁵punde y begyte him þa lacnunge y pærte an lengten popan to middan-pintpa⁶ on hlage y on pætene:

xxIII. In hpylc clepic-man zepündize- pærte •II- lenztenuän to-ropan middan-rumena- y oden ropan to middan-pintpaä odenne dæz on hläre y on pætene:

xxiv. In hpa Ioder cynicean brece for reale azyre pa

^{1&#}x27; O. omit. Y. Bx. add. 2 7 O. add. male. 3' roppam hit Y. roppon \$ Bx.

⁴ j þa -1111- geap þpeo bagar on pucan on hlare j on pætepe. Y. Bx. add.

5 punblan Y. punblac Bx.

6 a obepne bæg Y. add.

[✓] Th. xxvII. 17, 18. Cap. p. 84.

incantationes, ut eorum amor inde augeatur; si laicus hoc faciat, dimidium anni jejunet, diebus Mercurii et Veneris, in pane et aqua, et aliis diebus fruatur cibo suo, excepta carne sola. Si clericus sit, annum 1. jejunet, 11. diebus per hebdomadam in pane et aqua, et aliis diebus abstineat se a carne. Si diaconus sit, 111. annos jejunet, duobus diebus per hebdomadam in pane et aqua, et aliis diebus a carne se abstineat. Si presbyter sit, v. annos jejunet, unum in pane et aqua, et 1111. die quoque Veneris in pane et aqua, et aliorum dierum quoque a carne se abstineat.

- 19. Si quis sortilegia vel divinationes exerceat, vel vigilias suas ad fontem aliquem, vel ad aliam quamcunque creaturam, præter ad Dei ecclesiam, habeat, III. annos jejunet, unum in pane et aqua, et II. diebus Mercurii et Veneris in pane et aqua, et aliis diebus fruatur cibo suo, excepta carne sola.
- 20. Mulier eodem sit digna, si infantem suum veneficio aliquo curet, vel ad compita viarum per terram traxerit; quia id magnus est paganismus.
- 21. Si mulier aliqua potu suo infantem suum in seipsa sponte sua perdiderit, vel quibuscunque rebus eum confecerit, vii. annos jejunet, iii. in pane et aqua, et aliis fruatur cibo suo, excepta carne sola.
- 22. Si quis laicus alium vulneraverit, compenset ei vulnus, et sanationem ei comparet, et unam quadragesimam ante Natale Christi, in pane et aqua jejunet.
- 23. Si quis clericum vulneraverit, 11. quadragesimas jejunet, unam ante mediam æstatem, et alteram ante Natale Christi, secundo semper die in pane et aqua.
 - 24. Si quis Dei ecclesiam effregerit, furti causa, reddat

et IIII. annos, tribus diebus per hebdomadam, in pane et aqua.

rtale 4 rærte vii. zean. rpa hit hen buran apputen yr be manrlihte:

xxv. • Lir hpylc man rtéle mete oðde cládar. 4 hine hungop obbe néced pen-to dníre. rærte ·III. pucan on hláre y on pætene. zir he bonne ba rtale azyran mæze. ne neadize hine man to rærtene ac 86 him man ronzirnýrie ron Lober luran:/

xxvi. bEir hpylc cnirten man hir agen beann. obbe hir nehrtan mæz. pið ænizum punde rýlle. næbbe he nanne zemanan mid chirtenum mannum en he hine alfred hæbbe or bam beopoome. zir he bonne hine bezytan ne mæze. bæle rpa mýcel reoh ron hýne rpa he sen mið him nam. 4 alfre odenne or peopdome. 4 rneoze pone. 4 rærte .vii. pucan on hlare 4 on pætene. 4 zir he bær zertneoner næbbe b he hine alyran mæze. rærte bonne 1.xxvIII. pucena on hlare 4 on pæcene:/

xxvII. Lif has blod ete. odde grtynfiz flærc. y he hit ron neode ne do rærce xii pucan a obenne dæz on hlare y on pætene8:/

xxvIII. d Lif hpýle man mið appan deon offceote. 4 hit peah ætbengte. 4 hit man bonne ymbe .III. Inht dead rinde. y þæp húnd. oððe pulr. oððe rox. oððe bêpa. onberangen hæbbe. obbe æniz oben beoncynn. ne anbîte hir nan chirten man:/

xxix. 'Lif pult Enizer cynner ont torlite. 4 hit roppon beab beo. ne onbîte hir nan chirten man. zir hit bonne hpa δώ· rærte · IIII · pucan on hlare y on pætene · zir hit alýrað · 4 hit man rýððan orrlýhð. bnuce hir man rýððan be leare: '

¹⁻xxvII- Y.

²¹ crede recorran eco rærce xL. baza. zir hine hunzon co-bniroponne ne beneð hiz him na. Y. Bx.

^{3]} zir he hit rop neobe bo pærte 111. bazar on hlåre] on pærene. Y. Bx. add.

⁴ bazar Y.

[✓] Th. xxIII. 18.

[₩] Ib. xlii. 3, 4, 5. of Ib. xxx1. 1. 30. et Cap. p. 84.

furtum, et vii. annos jejunet, prout supra de homicidio scriptum est.

- 25. Si homo quis furatus fuerit cibum vel vestimenta, et fames vel nuditas eum coegerit, III. hebdomadas in pane et aqua jejunet; si autem furtum reddere possit, ne cogatur ad jejunium, sed detur ei remissio ex amore Dei.
- 26. Si homo quis Christianus infantem suum proprium, vel proximum suum cognatum pro aliquo pretio vendiderit, ne habeat consortium ullum cum Christianis hominibus, antequam eum e servitute redemerit; si autem eum invenire nequeat, tantam pecuniam eroget, quantam antea pro eo accepisset, et alium e servitute redimat, et hunc liberet, et vii. hebdomadas in pane et aqua jejunet; quod si id facultatum non habeat, ut eum redimere possit, tunc xxviii. hebdomadas in pane et aqua jejunet.
- 27. Si quis sanguinem, vel carnem morticinam ederit, et id ex necessitate non fecerit, xII. hebdomadas, secundo semper die, in pane et aqua jejunet.
- 28. Si homo quis sagitta percusserit feram, et ea tamen aufugerit, et post tertium diem mortua inventa fuerit, et ibi canis, vel lupus, vel vulpes, vel ursus, vel alia cujuslibet generis fera eam occupaverit, ne gustet eam homo quis Christianus.
- 29. Si lupus alicujus generis pecus laceraverit, et illud inde mortuum sit, ne gustet id homo quis Christianus; si autem quis id fecerit, 1111. hebdomadas in pane et aqua jejunet; si vivat, et postea occisum fuerit, tune cum venia comedatur.

et si ex necessitate fecerit, III. dies in pane et aqua jejunet.

qui morticinam ederit, xL. dies jejunet; si fames eum coegerit, tunc nequaquam ei nocet.

xxx. *In hpýle deop býð on nette apýpged nig hit nanum men alýped to bpucanne zig hig hpá bpuce pægte inipucan a odenne dæg on hlare y on pætene:

xxxi. b Lif hpá finde deadne firc on firc-pôle. y he hip bnuce. færte ·iiii. pucan. Podner-dagum y Frige-dagum. on hláre y on pætere. y ha odre dagar forgá flærc. y zir man on eá deadne firc fint. bnuce hir man¹:/

xxxII. ^c Lif hpyle zehádod man on húntað rápe- zif hit beo clepic- ropgá ·xII- monað rlærc- diacon ·II- zeap- mærre-ppeort ·III-' y birceop ·VII-:

xxxIII. d'Lip hpýlc birceop. obbe senz zehádod man. hine openselice open-djince. obbe he þær zerpíce. obbe hir háder polize:

xxxiv. *Iir munuc ron oren-onuncennyrre rpipe. rærte .xxx. daza:

xxxv. *Inf mæffe-ppeoft obbe diacon for ofen-druncen-nyffe fripe- fæfte .xl. daga:/

xxxvi. fig læpede man niht-zelýred pop open-dnuncennýrre rpípo pærte xx. daza:/

xxxvii. ⁶ Sebe bunh rach openne open-dnenco ræpte .xl. daga: ²

xxxvIII. h Lif muf on pætan berealle. So hig man apêg. y
3rppenge mis halig pætene. y gif heo cpicu rig. þicge man
þone pætan. gif heo þonne seas rig. geote hit man ut. y
þpea f ræt.' 'Ert hit cpys on söne rtópe. gif þær meter

l be lease Y. add.

^{2k} Beon zir hỳ man acpellate cpelle hỳ man họate j éte man ħ hung ħ hỳ sẽp pophton. Y. Bx. add.

³ archebe Y. archebe pone pæcan Bx.

⁴ zir je pæra mýcel jý. † heo on-abjince jý † pær zeclænjob j bổ haliz pærep in jý hir þizeb zir neob-þeapr jý. Y.

a/ Th. xxx1. 10.

c' *Ib*. xxxii. 4.

e/ Ib. xxvi. 3.

ы *Ib.* хххі. 15.

d' *Ib*. xxvi. 2.

^t⁄ Ib. xxvi. 9. n. 1.

- 30. Si fera aliqua in rete strangulata sit, nulli est homini permissum eam edere; si quis eam ederit, 1111. hebdomadas, secundo semper die, in pane et aqua jejunet.
 - 31. Si quis piscem mortuum in piscina invenerit, et eum ederit, 1111. hebdomadas, diebus Mercurii et Veneris, in pane et aqua jejunet, et aliis diebus a carne se abstineat; at si in flumine piscis mortuus inventus sit, edatur.
 - 32. Si ordinatus quis homo ad venationem prodeat, si sit clericus, xII. menses a carne se abstineat; diaconus II. annos; presbyter III.; et episcopus vII.
 - 33. Si episcopus quis, vel quilibet ordinatus homo ex consuetudine se inebriet, vel ab hoc desistat, vel ordinem suum perdat.
 - 34. Si monachus ex ebrietate evomuerit, xxx. dies jejunet.
 - 35. Si presbyter vel diaconus ex ebrietate evomuerit, xL. dies jejunet.
 - 36. Si laicus homo orthodoxus ex ebrietate evomuerit, xL. dies jejunet.
 - 37. Qui per fraudem alium inebriaverit, xL. dies jejunet.
- 38. Si mus in liquorem ceciderit, tollatur inde, et [liquor] aspergatur aqua benedicta; et si vivus sit, sumatur liquor; si autem mortuus sit, effundatur, et vas lavetur. Iterum dicitur in alio loco, si multum cibi una sit, aspergatur

Apes, si aliquem occiderint, statim occidantur, et mel quod antea fecerint edatur.

si liquor multus sit, in quo mersus fuerit, mundetur vas, et aquam benedictam infunde: si necesse sit, sumatur.

s/ Ib. xxvi. 7.

h' Ib. xxx1. 2.

¹ Ib. xxx1. 3.

[₩] *Ib*. xxx. 18.

mýcel jiz ætzædene. jtnéde man hit mid háliz pætene. j picze. Jir hit þeant jiz. j þ þonne fon nead-þeante:.

xxxix. 14 On þæne riftan eneopýrre zeleore men hiz môton zeramnizan. 3 on þæne reopðan. Zir hiz zemette rín. ne reeade hi man. 22 þam þniðdan eneope 3 reeade hi man: 22

xl. ^b Pir on hipe monatable cypicean ne réce ne to hurle ne zá naten ne nunne ne léépede pir γ zir hiz hýt dôn rærte •xx daza:

xLI. '88eőe 'apiht þicze þær őe húnd obőe múr obőe perle apídlize. obőe og-éve. y he hit píve. rinze .c. realma. zir he hit nýve. rinze .t. realma:'

xLII. ^dIng hpá on hig gymeleagte hugl gopleóge gægte ⁵·III· lengtenu· ælce Fpige-bæge on hláge y on pætepe y þa oðpe bagar bpuce hig meteg- butan glægce⁶:

xLIII. 'Ing reo ongægednýr on eopčan realle rop zýmeleagte ginge .L. realma:

xLiv. 'Sebe popyymelearize zehálzod hurl on þam þ hit to lange licze. Þ him riz unrýrennýr on. obbe hit næbbe hir hip. pærte .xl. 'baza:'

[&]quot;Mob L'inclum man mốt pirian æt pam phibban cheo ærten pæne ealban æ-bebőbe. I nã nu æn æt pam vv ærten Romane bốme ac ppa-peah zir je zerinscipe pundeð zeronht æt pam phibban cheo æn man þa sibbe pite. Þonne ne mốt hine man nã bhecan ac hý sceolon butu beón on þe mānan sophæsebnesse. I on mānan bæbbôte þonne oðne men ac zir heo æn þam þhibban cheope hý zeramniað. Þonne ir þ to bhecanne. In ni þ nānum men alýseb þe bið oðnum æt þam þhibban cheo. Oðde nên þ he nîme þ pir þ se oðen æn hæse : 'Y. Bx.

^{2//} rýn hi zerceáben Y. Bx.

^{3&#}x27; Seőe fylle oðnum þone pætan þe múr oððe perle bið on-abnuncengir hit rolcer man fy. færte 1111. bazar zir hit mynften-man fy. ccc. fealma finge. Seðe hit æn nyfte j ert pite finge fealtene. X.Y. Bx.

⁴ seniz ping Y. 6 snum X. Y. Bx. add.

^{5&#}x27; an zean oöbe ·111· &-pærteno X. Y.
7 nihta X.

[&]quot;/ Th. x1x. 24. n. 1.

c' *Ib.* xxx1. 22.

b/ *Ib*. xvii. 8.

d/ 1b. xxxix. 1.

aqua benedicta, et sumatur, si necesse sit; at id quidem ex necessitate.

- 39. In quinto propinquitatis gradu hominibus caris se conjungere licet, et in quarto si inventi fuerint, non separentur; in tertio gradu separentur.
- 40. Mulier in morbo suo menstruali in ecclesiam non intret, neque eucharistiam accipiat, nec monialis nec laica mulier; et si fecerit, xx. dies jejunet.
- 41. Qui aliquid de eo ederit, quod canis, vel mus, vel mustela inquinaverit, vel de quo ederit, et scit, c. psalmos cantet; si nesciat, L. psalmos cantet.
- 42. Si quis ex incuria sua eucharistiam perdiderit, III. quadragesimas jejunet, quoque die Veneris in pane et aqua, et reliquis diebus fruatur cibo suo, carne excepta.
- 43. Si sacrificium ex incuria in terram ceciderit, L. psalmos cantet.
- 44. Si quis neglexerit consecratam eucharistiam, ita ut nimis diu servata sordes in ea sit, vel colorem suum non habeat, xL. dies jejunet.

Apud Græcos licet viro in tertio gradu uxorem ducere, secundum veteris legis sanctionem; at hodie non in propiori quinto, secundum sententiam Romanorum; attamen si conjugium factum fuerit in tertio gradu, antequam consanguinitas cognita erat, tunc non licet illud dirimere; sed debent ambo majorem continentiam et majorem pænitentiam excercere quam alii homines: si vero in propiori quam tertio gradu se conjunxerint, tunc dirimantur. Nec homini cuiquam est permissum, qui alteri in tertio gradu stat, vel propius, mulierem quam alter habuerat in matrimonium ducere.

Qui alii dederit liquorem in quo mus vel mustela demersa fuerit, si laicus est, 111. dies jejunet; si monasticus est, ccc. psalmos cantet. Qui antea nesciebat, et postea scit, psalterium cantet.

annum unum, vel 111. legitima jejunia.

e' Ib. xxxix. 2.

^{8&#}x27; Ib. xx. 19.

x.v. *Inf man hurl appipe pon onncennypre. obbe pon open-pylle. pæpte .x.l. 18aza:/

xLvi. ^bLif he ron untnumnýrre hir hurl arpípe· rærte ·vii· ²ðagar·' oððe ·ii· raltenar ringe:

xLvII. b Lif hund bone rpipedan rpete. rærte he an hund daga. Jir he hit nýrte rærte xL daga:

xLvIII. ^b Ing man hugl pýppe on rýp. ošše on repeamponne hug molgnaš to piczenne- ringe he ·c· realma:

xlix. 'Elc hurl be bið unrýrne oðde on ýlde- ronbænne man hit:'

L. ^dIng mûr ête hurl- pop gymelearte þær ⁵ þe hit healdan rceolde- pærte •xL- ⁶daga:

LI. *Sede hurler ænigne dæl 7 ropleore · rærte · xx · *daga: · /

ин. 'Sebe on 'polcer деритурге' hir сругтап popleore у hine ert ne pinde pærte ·III 10 lengten · оббе ·I деар 11://

LIII. ⁸Sebe hir calic ageode ¹² amang hir mærran ¹⁸• pærte •xxx• ¹⁴baga:.'

```
4 man rýleð X.
  <sup>3</sup> pe man ærten pon rpipe X. add.
  <sup>5</sup> manner X. Y. add.
                               6 niht X.
                                                    7 in cynican X. add.
                         9' polce X. Y. Bx.
                                                  10 fe-rærten X.
  8 nihca X.
  11 h Lif man ropledje zehalzoone mere hpylcne hpuzu bæl. obbe
zehálzoone hlár nypne odde zehálzoo realt odde necelr odde opiht
piffer zelicer fæfte vii. niht [bazar Y.]' ] zir hit mane fy j
halizne fæfte he fpydop. Bede mynten ete fpa he nyte fæfte xi.
nihra [baza Y.] obbe .xxx. Lebe nybe zenumenne mere picze- 7
he ne pîre. [gir he hâl ry ] repang Y.] rærte .xr. nihta.' gyr he hir
zelôme bố pærte 1111 æ-pærtenu obbe eall zeap. Sebe éte hir licha-
man hpeorel obče pýjimar obče miczan spince obče hir rceapn-
zýr hit cilo rý odde cniht. rpinze hine man. zýr hit zepeaxen man rý.
pærte · i· zeap· oððe · i ii· é-pærtenu · j æzhpæðen zá birceope unbephanb. / X. Y. add.
```

1 nihta X.

2 niht X.

 $^{^{12}}$ ongemang Y.

¹³ ponne he hæbbe mærran zerungen X. add.

¹⁴ nihea X.

[⊌] Ib. xxxix. 19. et Cap. p. 75.

^d Ib. xxxix. 3. et Cap. p. 75.

[&]quot; Th. xxxix. 13. " Th. xxxix. 4.

- 45. Si quis, ex ebrietate, vel ex satietate, eucharistiam evonuerit, xL dies jejunet.
- 46. Si ex infirmitate eucharistiam suam evomuerit, vII. dies jejunet, vel II. psalteria cantet.
- 47. Si canis vomitum illum devoraverit, [homo] c. dies jejunet; si nesciret, xL. dies jejunet.
- 48. Si quis eucharistiam in ignem projecerit, vel in flumen, cum præ mucore percipi non potest, c. psalmos cantet.
- 49. Omne sacrificium quod sordidum est, vel vetustate corruptum, comburatur.
- 50. Si mus eucharistiam ederit, ex incuria ejus qui illam conservare deberet, xL. dies jejunet.
- 51. Qui eucharistiæ partem aliquam perdiderit, xx. dies jejunet.
- 52. Qui, cum conscientia populi, chrisma suum perdiderit, et illud non recuperaverit, 111. quadragesimas, vel annum 1. jejunet.
- 53. Qui effuderit calicem suum inter missam suam, xxx. dies jejunet.

Si quis perdiderit cibi consecrati aliquantulum, vel panem benedictum novum, vel sal benedictum, vel thus, vel aliquid hujus simile, vII. dies jejunet; et si majus sit et sanctius, austerius jejunet. Qui carnem morticinam comederit, et nesciverit, xL. dies jejunet, vel xxx. Qui cibum furatum comederit, et nesciverit [si sanus et fortis sit] xL. dies jejunet; si sæpe fecerit, III. legitima jejunia jejunet, vel integrum annum. Qui corporis sui scabiem, vel vermes edit, vel stercus suum, vel urinam bibit, si infans sit vel puer, vapulet; si homo adultus sit, I. annum jejunet, vel III. legitima jejunia, et uterque arbitrio episcopi se dedat.

cum missam cantaverit.

b/ Ib. xl. 1.

k/ Ib. xx111. 9.

v Ib. xxx1x. 11.

i/ *Ib*. xxx1. 1.

¹ Ib. xxxI. 32.

LIV. ²Sebe éte sepham be he to hurle za. 4 septen ham h hurl hicze. rsepte .vii. ¹dazar:.

Lv. b Pen y pîr ha de him zepeodde pænon on hæmede zir hæn pyle oden Iroder peop beon y oden nele odde hyna open byd untnum open hal rpa-peah be hyna bezna zeparunze hiz dælon hiz zir hiz pyllon y j beo be birceoper zepitnyre:

LVI. 'Se Hoder peop pe on riæpe bermyten byð. anire y ringe .vII. realmar. y bige hir cneopu to eondan æt ælcer reprer ende. y rærte pær on mongen on hlare y on pætene. odde ringe .xxx. þæna realma pe him betrte þinggon. y æt ælcer reprer ende bige hir cneopu to eondan:

Lvii. ^dEif ppýn oððe henna oððe æniger cýnner ýpre éce of manner licháman. oððe hir blóð bliýnce. rleá man þýpre. g rýlle þam húndum:

LVIII. * Lif has beine objer huf. færte . III. zean a obenne bæz on hlare y on pætene. 'y ha obje bazar færte to noner. y fonza flære:

LIX. Lik senigel chunel phie bealle on bestell-bar during man behon bead kinger chunel man bone bar clene. A siches behallog like bestelle and brown on har de die bestelle siches bestellt best

Lx. ⁸ Sif ha for his untrumnýste obše son his hnéronýste přesten j ha stidnýste abenan ne mæz de his schurc him tæco. him ýs alýsed p he mót his sæstan alýsan mid zodcundnýste j mid his popldæhton. P is honne zis he býð

¹ nıht X. ² ppnenze Y. ³' Lış man pylle hış bæz-şæşten alşıan mıb ælmæşşan· zerylle tpam mannum oðde þným bæzspæşenbo· oðde saltene aşınze- zış hıt şumon rý- zış hıt hæpişest rý odde lencten· sinze-c· realma· zış hıt pinten rý·L. Lış pu pylle alşıan zeaner şæşten· zernize man· odde rýlle-xxx· scillinza· odde ·xxx· saltena sealma aşınze. X.Y.

² Th. xxx1x. 12.

c' Ib. xxviii. 25.

b/ *Ib*. xix. 20. d/ *Ib*. xxxi. 20.

- 54. Qui comederit antequam ad eucharistiam eat, et postea eucharistiam sumserit, vii. dies jejunet.
- 55. Vir et mulier, in matrimonio conjuncti, si alter eorum Dei servus esse velit, et alter nolit, vel alter eorum infirmus sit, alter sanus, cum mutuo eorum consensu tamen, si velint, separentur; at id sit cum cognitione episcopi.
- 56. Dei servus, qui in somno pollutus est, surgat, et cantet vii. psalmos, et flectat genua sua ad terram in cujusque versiculi fine, et crastino die in pane et aqua jejunet, vel xxx. eorum psalmorum cantet, qui optimi ei videantur, et in cujusque versiculi fine genua sua ad terram flectat.
- 57. Si porcus, vel gallina, vel cujuscunque generis animal de corpore hominis ederit, vel sanguinem ejus biberit, occidatur animal, et detur canibus.
- 58. Si quis alterius domum incenderit, 111. annos jejunet, secundo semper die in pane et aqua, et reliquis diebus ad nonam jejunet, et a carne se abstineat.
- 59. Si cujuscunque generis animal in puteum ceciderit, et ibi mortuum inventum fuerit, purgetur puteus, et spargatur in eum aqua benedicta. Et si quis aquam gustaverit, antequam puteus expiatus sit, hebdomadam unam jejunet in pane et aqua; si nesciret, unum diem in pane et aqua jejunet.
- 60. Si quis præ infirmitate sua, vel mollitie, jejunium vel austeritatem perferre nequeat, quam confessarius ejus ei præscripserit, ei permissum erit jejunium suum redimere pietate et mundanis suis possessionibus; id est ergo, si dives sit, pro

Si aliquis jejunium suum eleemosynis redimere velit, duobus vel tribus hominibus det cibum unius diei, vel psalterium cantet, si æstate sit; si autumno vel vere sit, c. psalmos cantet; si hieme sit, L. Si jejunium unius anni redimere velis, hominem libera, vel xxx. solidos da, vel xxx. psalteria psalmorum canta.

^{8&#}x27; Th. Cap. pp. 67, 68, 69.

peliz. rýlle pop *xii. monďa pærtene *xxx. rolidor. Þ ir on úpe zejeode *xxx. rollinga. zir hine to rpa mýcelum ne onházize. ponne rýlle he *xx. rollinga. zir hine ponne to rpa mýcelum ne onházize. rýlle *x. rollingar. zir hit ponne peaprizende mann beo Þ him to *x. ne onházize. rýlle *iii. roýllingar. rophon re peleza mæz eadop rýllan *xxx. rollinga ponne re pædla *iii. Se piht roýlling býð á be *xii. penezum. Spa zepáde ælmýrran man roeal on þieo píran dælan. án ýr Þ hiz man úppan Loder peorod lezce. oden Þ man zedicze man or þeopdome. y hine rýddan zerpeoze. Þpýdde Þ hiz man Loder þeaprum dæle:

LXI. *An bæger rærten man mæg mid anum penige alfganoöde mid tpam hund realmum. I on objie piran ringe Wirepepe
mei Deur ·XII. ridon. I ·XII. Paten norten. I æt ælcer reprer
ende hine on eondan artnecce. æt-ropan Loder peorode. And
gir re man realm-rang ne cunne. Donne ringe he rop aner
bæger rærten ·L. Paten norten. I rpa oft hine on eondan
artnecce. And ·VII. pintna rærten man mæg on ·XII.
mondum alfran. gir he ælce dæg aringed raltene. I odenne on
niht. I an riftig on æren:

LXII. COID anne mærran man mær alyran ivii. dara pærten. y mið .x. man mær alyran iiii. monda pærten. y mið .xx. mærran man mær alyran 2.vii. monda pærten. y mið .xxx. mærran man mær alyran .xii. monda pærten. gir he pýle mið rodne Loder lure him rýlrum þingian:

LXIII. On hálzum zeppitum ýr zepædd. Þ re Ælmihtiza Irod þuph •xII. Þinz rýleð mannum ronzýrennýrre heona rýnna. Seo æptrepe rýnna ronzýrennýr ýr þuph rulpihter bæð. Seo ærtepe ronzýrennýr ýr þuph Ioder luru y manna. Þ zehpá lúrize Iod or eallpe sheoptan. y þonne hir nehrtan. Þ ýr ælc chirten man. rpa hine rýlrne. Seo þnýdde ronzýrennýr ýr þuph ælmýrran rýlene. ronþon hit ýr appiten. Þ eallrpa man mið pætepe rýn aðpærcð. rpa aðilzað reo ælmýrre þær manner rýnna. Seo reonde ronzýrennýr ýr þuph realmranz y teána azótennýrre. Þ zehpá ron hir rýnnum hneoprize y pépe. rpa zehpá deð ron hir rpeonder ronð-riðe. Seo ritte

^{1 .}xII. X. .III. Bx.

³ hir heoptan meazolnerre Y. Bx.

^{2 ·} VIII · X. Bx.

xII. mensium jejunio, det xxx. solidos, id est, in sermone nostro, xxx. scillinga; si tantum facultatis ei non suppetat, tunc xx. solidos det; si autem tantum facultatis ei non suppetat, x. solidos det; si denique indigens homo sit, ut x. [dandi] facultatem non habeat, III. solidos det; quia dives potest facilius xxx. solidos dare quam pauper III. Legitimus solidus semper est xII. denariorum. Hujusmodi eleemosynæ tribus modis erogandæ sunt: unus est, ut super Dei altare deponantur; alter, ut homo ex servitute redimatur, et deinde liberetur; tertius, ut Dei egenis distribuantur.

- 61. Unius diei jejunium uno denario quis redimere potest, vel ducentis psalmis; et alio modo, cantet 'Miserere mei Deus' duodecies, et xii. 'Pater noster,' et in cujusque versiculi fine, in terram se prosternat ante Dei altare: et si homo psalmos cantare nesciat, tunc pro unius diei jejunio L. 'Pater noster' cantet, et toties se in terram prosternat. Et vii. annorum jejunium, in xii. mensibus quis redimere potest, si quotidie psalterium cantet, et alterum nocte, et unum quinquaginta vesperi.
- 62. Una missa vII. dierum jejunium quis redimere potest; et x. [missis] IIII. mensium jejunium quis redimere potest, et xx. missis vII. mensium jejunium quis redimere potest, et xxx. missis xII. mensium jejunium quis redimere potest; si cum vero Dei amore pro seipso supplicare velit.
- 63. In Sacris Scripturis legendum est, quod Omnipotens Dens per xII. res hominibus dat remissionem peccatorum eorum. Prima remissio peccatorum est, per baptismi lavacrum. Secunda remissio est, per Dei et hominum amorem, ut unusquisque Deum diligat ex toto corde, et deinde proximum suum, id est, quemlibet hominem Christianum, ut seipsum. Tertia remissio est, per erogationem eleemosynæ; quoniam scriptum est, quod sicut aqua ignis extinguitur, ita eleemosyna delet peccata hominis. Quarta remissio est, per cantum psalmorum, et effusionem lacrymarum, ut quisque pro peccatis suis pæniteat et fleat, prout quisque facit propter amici sui obitum. Quinta

ronzýrennýr ýr bunh rýnna andernýrre. β zehpá hir rýnna andette hir repirte y him hir dizolnýre onpped y rýdďan béce rpa he him céce. Seo rixce ropzýrennýr ýr þ zehpá ron Loder luron y ron hir raple peanre pinne pið hir lichaman unpiho lurtar. 4 hine rýlpne rpa zepýloe mio pærcene 4 mio obnum mæzene. Fre innpa man. Fir reo rapl. beo rop Lode zehealden. Seo reorede ropzýrennýr ýr. p zehpá hir æhta. y hir beann. y hir eand ronlæte ron Goder luron. y on ælþeodignýrre rápe. y þæp hýr lír zeéndize. Seo eahtode ronzýrennýr ýr. p re man or birre líre ráne to píte. y hir rnýnd bonne be on birre líre beoð hine magon alfran. 4 him ronzýrennýrre ær Lode zecannizan mid zodcundum peopdóme. y mid hýpa poplo-æhton. Seo nizoče ropzýrennýr ýr miloheontnýr y χου zeleára. Seo teobe ronzýrennýr ýr · β man obenne zehpýpre rpam hir rýnnum to Lober pýllan. enolýrte ronzýrennýr ýr ji zehpá ron Loder luron ronzýre þær manner gyltar öe pið hine agylt. ropþon re Dælend cpæð on hir zoðrpelle. Fongýrað 4 eop býð rongýren. tpelrte rongýrennýr ýr mantinhád. rpa þam rceáðan peanð æt Duhtner propunge. þa re Dælend him to-cpæd. Soð ir p ic be recze. nu to-bæz bu byrt mid me on miner ræden nice:

LXIV. Địp pỷndon þa zodcundan beböðu þe pe pcýlon healdan. Đæt ýp æpept peo pode lupu Loder y manna y clænnýppe y pæpten y podpæptnyppe y beón eadmôde y zemetpæpte y ppempume y zeþýldize y manþpæpe y cumlide y ælmýppulle y háliz-pæccan y beón mildheopte y zepýbpume. And þar þinz pe pcýlon popzán þ ýp opephýd y zýtpunze y æpept y idelne zýlp y rtála y peáplac y unpiht-hæmeð y opephpuncennýp y mópðop y mæne áþar y learunza y pýpiznýppa y zecýð:

LXV. Deor tiò cýmô ýmbe tpelp-monað. Þælc man rceal hir rcpirt zerppiecan. J be hip rcpirter learan on hir pærten rón. J Itode J hir rcpirte hir zýltar andettan. Þa de he zepophte. odde on man-rlihte. odde on mondone. odde on unpiht-hæmede. odde on ænizum þapa þinga þe man pið Itod azýltan mæz. Donne hara þu pihtne zelearan to Itode. J to þýrre zódan tide. J zeopne beo betende þær þu pite þ þu zepopht hæbbe.

¹ mis inpeapsliche heoptan Y. Bx. add.

remissio est, per confessionem peccatorum, ut quisque peccata sua confiteatur confessario suo, et ei secreta sua revelet, et deinde emendet prout ille ei præscripserit. Sexta remissio est, ut quisque ex amore Dei, et pro animæ suæ necessitate, cum corporis sui pravis cupiditatibus certet, et seipsum jejunio et alio conamine subjuget, ut interior homo, id est anima, in conspectu Dei servatus sit. Septima remissio est, ut quisque possessiones suas, et liberos suos, et patriam suam, ex amore Dei relinquat, et peregre proficiscatur, et ibi vitam suam claudat. Octava remissio est, ut homo ex hac vita ad supplicium discedat, et deinde amici ejus, qui in vivis sunt, eum redimere, et remissionem ei servitio divino, et possessionibus mundanis suis, apud Deum consequi possint. Nona remissio est misericordia, et bona fides. Decima remissio est, ut quis alterum a peccatis suis ad Dei voluntatem convertat. Undecima remissio est, ut quisque, ex amore Dei, illius hominis delicta remittat, qui in eum deliquerit, quoniam Salvator in Evangelio suo dixit: 'Remittite, et remittetur vobis.' Duodecima remissio est, martyrium, prout latroni evenit, ad passionem Domini, cum Salvator ei dixit: 'Verum est, quod tibi dico, nunc hodie mecum eris in regno patris mei.'

64. Hæc sunt divina præcepta, quæ nobis observanda sunt: Id primum est, verus Dei et hominum amor; et castitas, et jejunium, et veritas, et ut humiles simus, et moderati, et benigni, et patientes, et mansueti, et hospitales, et eleemosynis largi, et sanctarum vigiliarum studiosi, et ut misericordes simus, et pacifici. Et ab his debemus nos abstinere; id est, a superbia, et avaritia, et invidia, et vana gloria, et furto, et rapina, et adulterio, et ebrietate, et cæde, et perjuriis, et mendaciis, et maledictis, et jurgiis,

65. Tempus venit, post annum, ut quilibet homo confessarium suum alloqui debeat, et, cum confessarii sui venia, jejunium suum ordiri, et Deo et confessario suo delicta sua, quæ perpetraverit, confiteri, sive per homicidium, sive per cædem, sive per fornicationem, vel per aliquas earum rerum, quibus adversus Deum delinquere possumus. Habeas igitur fidem orthodoxam in Deum, et in hoc bonum tempus, et diligenter id emendes,

mid þínum pærtene. y mid þínne ælmyrran. y mid þínum gebedum þe du betrt cunne. y ælce Sunnan-dæg to cyncan cum. y þæn geonne pon þe rýlpne gebide y pon eall gerullod polc. y pon þínne propt. Þonne byrt þu on úne eallna gebedpædene. Wín leop. ic þe læne þ þu þence hú þu hiden on popld acenned pæne. odde þunh hpæt. odde on hpon þu dar lænan popld. * * * . y hú þín lichama y þín rapl hi gebælan reýlon. y rýddan on hpýlcene anbíð-rtope þín rapl bíðan mote dómer dæger. y eac þa tíð þonne þín rapl y þín lichama gegaðende beón reýlon. y ert to Itoder dóme gelæðdy þonne þu reealt. y ælc man pop hir agenum gepýphtum. puht agýldan y onrón æt þam dóme. y rýddan mid raple y mid lichaman onrón rpa écum líre rpa écum deaðe. ppa þu æn gepophtert. rpa écum líre rpa úngeendodon píte:

LXVI. Donne bu on mongen senert apire. rena be rpyde zeonne y Irode bebeod ponne pu de nervan pylle do pylce. pinza pe pro Loo puph pinna rynna andernyrre y bore. p Loo bunh be on populoe bine rynna ronzyre. 4 ærten populoe éce perte y hir mildheoptnýrre. Uton mín leor zebencan hpýlce úne ýlopan En pepon y hpýlce pe rýno nú obbe hpýlce þa rýnd nú to rceapizenne þa de ron hund pintnum mið eonþan moldan beppőzene pæpon. rpylce bonne pe beog. rona rpa úr reo rapl or þam licháman rlýpð. Uron þonne mín leor. þa hpîle ve ûr Loo unne. beopgan ûr piv rynna. 4 piv þa ûnþeápar pe ur deorul læped. Elc zpamræpnýr cýmd or deorle. y ælc zerlit. y ælc ünzelimp. þonne uton piörtandan him y liþezian upe mod y biddan ur Loder miltre y hir rultumer. p pe mazon hir bebőbu healban. Uton récan üpe cypcean Sunnandazum. 4 mærre-dazum. 4 betpech þam tíðum rýmble. rpa becene rpa optop. y beonzan ur pið ærert. y pið ýnne. y pið unnýtte popo. y pič opep-opuncenný pe y pič tælný pe y pið tpý-ppiæcnýppe. y pið leare zepitnýppe. y pið monþon. y pro mêne avar. y pro optpædic hæmed. y pro ælce unclænnyrre uper lichaman. And uton zebencan hu berceapizende pe rcylon beon une raple y uner lichaman. pa hpule pe ur Isob unne p pe hen beon. p pe hunu ærten byrre ponise nêrte habbon mid Lober milore:

LXVII. Win Dpiliten ic be bibbe. bu be cpæbe on binum zobrpelle to eallum pilitzelýrebum mannum. Petite et babitum

quod te perpetravisse scis, jejunio tuo, et eleemosyna tua, et precibus tuis, quas optime noris; et quoque die Dominico ad ecclesiam venias, et ibi diligenter pro teipso ores, et pro omni populo baptizato, et pro confessario tuo; tunc eris in nostris omnium precibus. Dilecte mi, ego te hortor, ut cogites quomodo hic in hoc mundo progenitus fueris, vel per quod, vel in quo hunc transitorium mundum " ", et quomodo corpus tuum, et anima tua separanda sint; et deinde in quo commorationis loco animæ tuæ expectare liceat diem judicii, et etiam tempus, cum anima tua et corpus tuum conjungentur, et ad Dei judicium reducentur; et tunc tu (et unusquisque homo, pro propriis suis actibus) quod justum est solves et accipies, in judicio illo; et postea, cum anima et corpore, accipies sive vitam æternam, sive mortem æternam, prout antea fecisti; sive vitam æternam, sive infinitum supplicium.

66. Cum mane primum surrexeris, signa te diligentissime et Deo commenda; cum quieti te dare velis, idem fac, concilia tibi Deum, per confessionem peccatorum tuorum, et emendationem, ut Deus propterea tibi peccata tua in mundo condonet, et post mundum, quietem æternam et misericordiam suam concedat. Agedum, dilecte mi, cogitemus quales parentes nostri antea fuerunt et quales nos nunc sumus; vel quales illi nunc appareant, qui ante centum annos pulvere terræ obtecti sint; tales nos tunc erimus, simul atque anima de corpore se subduxerit. Agedum ergo, dilecte mi, dum Deus nobis concedit, caveamus nobis a peccatis, et a vitiis illis quæ diabolus nobis suggerit. Omnis furor venit a diabolo, et omnis rixa, et omne infortunium; agedum ergo, resistamus ei, et leniamus animum nostrum, et imploremus nobis Dei misericordiam, et auxilium ejus, ut præcepta ejus observare possimus. Agedum, frequentemus ecclesias nostras diebus Dominicis, et diebus festis, et inter illa tempora assidue, quo sæpius eo melius; et caveamus nobis ab invidia, et ab ira, et a verbis inutilibus, et ab ebrietate, et a vituperatione, et a biloquio, et a falso testimonio, et a cæde, et a perjuriis, et a crebra fornicatione, et ab omni impuritate corporis nostri. Et agedum, cogitemus quam perscrutantes esse debemus animæ nostræ et corporis nostri, dum nobis Deus concedit hic esse; ut saltem, post hunc mundum, quietem habeamus per misericordiam Dei.

67. Domine mi, peto a te, qui in Evangelio tuo dixisti omnibus fidelibus hominibus: 'Petite, et dabitur vobis;' ergo

деар∙ оббе

leng. add.?

vobir. Biòòaò y eop biò zereald. ic be bonne min Duitten eaomoblice bidde. p bu me rongyre p ic pær bidde pær de kin pilla riz. 4 minne raple næd on écnyrre. 4 miner popile-lirer bletrung angtanbe:

LXVIII. § 1. *Inr hpa rpenes on birceoper handa. osse on mærre-preorter. obše on biaconer. obše on peorobe. obše on zehálzobon Enirter mæle. 4 re að beo mæne. rærte ·III. zeap. Lif he on unhalzodon Enifter mæle man-rpenize. rærte an zean. § 2. bede mæne adar beza. rærte . 111. § 3. c Lip hpýle man hine pið ræmnan ropliczerærte ·III · zean · obbe ·II · be bam rullan. § 4. dSebe mib obner ceopler pire hæme. rærte .1111. .11. on pealh .11. eller on bam blum reopentizum. 4 ·111 · bazar on pucan. § 5. °Sebe mid bædlinge hæme. odde mid odnum pæpned-men. odde mid nýtene pærte x pinten. On ošne rtópe hit cpýš reše mis nýtene héme rærte xv pinten 4 rodomirce vii zeap § 6. Lif re bædling mid bædlinge hæme 1-x- pinrærton. ren bêre. hi beoð hnêrclice rpa ronlegene. Beðe þir penlice pærte vii. ded æne pærte viii. gean gir hit gepuna byd. rpa Bariliur cpæð. zir hiz beoð butan háðe .xv. pinten. án zean eallrpa pir. zir hit cniht bib. æt þam ænertan cynne .ii. zean· zir he hit ert δο rærte · IIII· zean· ' zir he betpýh lipum ded 11. geap' odde 1111. reopentago. s zir he hine rýlrne bermyte · IIII · bazar rærte butan rlærce. § 7. ^hSeŏe hine zynne το ronliczenne η ne mæz· rærte ·xL· daza· oδδe ·xx· zir hit cniht byδ 4 zelômlice δο οδόε hine man rpinge οδόε ржетте •хх• бада. § 8. 'Lip pir hæmeð ·111. zean béte.' kgir heo rýlr rig mið hine rýlrne hæmeð onhýngende on þa y ræmnan. mápe zecapnað reo de pep hærd zir heo hiz ronlid. § 10. "Sebe reed on mus rended regree viii gean 45 ir pynnerte. rnam rumum hyt pær demed þ hi bútu og hyna

^{1/ .}IX. pincen pærte. Bx. ² unpæplice O. peplice Bx. * zir he hit mib zehaboban men bo iii xL. obbe eall zen pærte. Y. Bx. add. zyr hit cnýht rý .xx. baza rærte. obbe hine manrpinge.

⁴ pam 17 \$ pypperce- O. Bx. ut in textu. X.Y. omit.

[&]quot; Th. xxiv. 2.

[♂] *Ib.* xvi. 11.

of Ib. xxvIII. 16. et n. 1.

b/ Ib. xxiv. 1.

d Ib. xvi. 2. n. 2. xix. 3. 32.

[&]quot; Ib. xxviii. 29. n. 1.

humiliter, mi Domine, peto a te, ut tu mihi condones id quod peto, ut voluntas tua fiat, et animæ meæ in æternum consules, et mundanæ meæ vitæ benedictio permaneat.

68. § 1. Si quis juraverit in manu episcopi, vel presbyteri, vel diaconi, vel in altari, vel in consecrata Christi cruce, et perjurium sit, III. annos jejunet. Si in cruce Christi non consecrata perjuraverit, unum annum jejunet. § 2. Qui perjuria commiserit, III. annos jejunet. § 3. Si homo quis cum puella fornicatus fuerit, III. annos jejunet, vel II. plene. cum alterius viri uxore fornicatus fuerit, 1111. jejunet, 11. peregre, 11. porro per tres quadragesimas, et 111. diebus per hebdomadam. § 5. Qui cum molli coiverit, vel cum alio viro, vel cum pecude, x. annos jejunet. In alio loco dicitur: Qui cum pecude coiverit, xv. annos jejunet, et sodomitæ vii. annos jejunent. & 6. Si mollis cum molli coiverit, x. annos emendet. Hi sunt delicati ita fornicantes. Qui hoc virili modo semel fecerit. 1111. annos jejunet; si consuetudo sit," ut Basilius dixit. Si sit non ordinatus xv. annorum, annum unum, ut mulier. puer sit, prima vice, 11. annos; si iterum fecerit, 1111. annos jejunet; si inter femora fecerit, I. annum, vel III. quadragesimas; si seipsum inquinaverit, IIII. dies sine carne jejunet. voluerit fornicari, et non potuerit, x1. dies jejunet; vel xx., si puer sit, et sæpe faciat, aut vapulet, aut xx. dies jejunet. § 8. Si mulier fornicata fuerit III. annos emendet; si cum seipsa fornicationem imitetur, eodem modo I. annum pœniteat. § 9. Viduæ et puellæ una est pænitentia; quæ virum habet, majorem meretur, si fornicetur. § 10. Qui semen in os miserit, vii. annos jejunet; hoc pessimum est. A quibusdam judicatum est, ut ambo usque ad finem vitæ suæ emendarent. cum matre fornicatus fuerit, xv. annos jejunet, et nunquam mutent, nisi die Dominico, et sancto tempore: et etiam in

* vii. annos, vel plus jejunet, add.?

si cum homine ordinato fecerit, 111. quadragesimas, vel totum annum jejunet: si puer sit, xx. dies jejunet, vel flagelletur.

¹ Ib. xIX. 17.

^ν Th. Cap. p. 77.

^h∕ *Ib*. xvi. 10.

k' Ib. xvi. 4.

m// Th. xvi. 30. n. 1.

lirer ende hit betton." § 11. *Sebe mid hir meden hæme. rærte •xv• pinten• 4 nærne ne onpendon butan Sunnan-bæxe' 4 halizne tide. 4 eac hi ranon on elbeodiz land. 4 peen § 12. beese mid hir rpyrten hæme. rærton •vii• rean. rærce ·vii · pinten.' on rumon canone hit cpyð ·xii · rean. rondam bæne meden belimpad ba de hen beronan rrandad. § 13. · Sede oft hæmed re æperta canon demed b he .x. pinten bête. 4 re ærtena canon bêmeb .vii. zean. zir hit pon manner týddennýrre bið rume cpeðað III zean. 6 14. d Lnr bnodon mid bneden hæme bunh hir lichaman zemenznyrre •xv• pinten rærte butan rlærce.' § 15. 'Ing modon mid hỳne lýtlan runa ¹hæme• rærte •111• zeap• þ heo rlærcer ne onbîte. 4 anne bæx on pucan oð æren. § 16. ^fSeðe zebýrmneš riz rnam zelýna zebance. δο hneópe oš j re zebanc riz orenrpybeb. § 17. Sebe lúrize ræmnan on hir môde bidde him ronzýrennýrre æt Lode zir he recze b he ³hæbbe hipe rpeondrcipe. ₺ yr be lure. 4 he hý næbbe .vii. bazar rærte. § 18. Tip hpylc man pop hip mæger præce man orrlea. do he rpa mynhna .vii. zean odde .x. zir he § 19. Sebe man orrlea on hir zýloe rærte be healran. modop prace. III. zeap odde .x. Se myphpa .x. odde .vii. § 20. h Lir hpylc man munuc obbe cleruc orrlea. roplæte hır ре́ерп ч реоріде Гобе• оббе ретте •х• деап• ч р býð § 21. Beše birceop ošše mærre-pneort birceoper bom. orrlea. V býð cýninger dóm. 522. Seðe be hir hlaronder here man orrlea .xl. daza reerce.' zir he hit bunh vnne do ·III. Zean bête. zir he hit holinga bô. rærte ·I. zean. zir he hit bunh zedninc odde bunh odenne unchært man acpelle. ·III. Zean rærte. Zir he bunh unnytte cearte man orrlea. rærte .x. zean:/

¹ hæmes onhypize Y.

² zelizepa Y.

³' hỹ hæbbe Y.

of Ib. xvi. 5. n. 3.

of Ib. xx. 17. et n. 3.

b' Ib. xx. 14.

d' *Ib*. xx. 16.

[&]quot; Tb. xxvIII. 11. 14, 15.

terram peregrinam proficiscantur, et ibi vii. annos jejunent. § 12. Qui cum sorore fornicatus fuerit, vII. annos jejunet. In quodam canone dicitur xII. annos, quia quæ supra stant, § 13. Qui sæpe fornicatus fuerit. ad matrem spectant. primus canon judicat. ut x. annos emendet et secundus canon vii. annos; si pro hominis infirmitate sit, aliqui dicunt § 14. Si frater cum fratre fornicatus fuerit, per copulationem corporis, xv. annos emendet sine carne. § 15. Si mater cum filio suo parvulo fornicata fuerit, III. annos jejunet, ita ut carnem non gustet, et uno die in hebdomada usque ad vesperam. § 16. Qui cogitatione libidinosa se polluerit, pœnitentiam agat, donec cogitatio illa superata erit. § 17. Qui amat puellam in animo suo, roget sibi veniam a Deo; si dicat se amicitiam ejus habere, id est, amatorie, et non habeat illam, vii. dies jejunet. § 18. Si quis in ultione propinqui hominem occiderit, ut homicida, [pœnitentiam] agat vII. annos, vel x.; si solvat [propinquis], dimidium spatii jejunet. § 19. Qui aliquem occiderit in ultione matris suæ, 111. annos, vel x. Homicida § 20. Si homo quis monachum vel clericum occiderit, arma relinquat, et Deo serviat, vel x. annos jejunet; et id est episcopi judicium. § 21. Qui episcopum vel presbyterum occiderit, id est regis judicium. per jussionem domini hominem occiderit, xL. dies jejunet; si per iram fecerit, III. annos emendet; si casu fecerit, L annum; si ex ebrietate, vel alia prava arte hominem occiderit, III. annos jejunet; si in inutili rixa hominem occiderit, x. annos jejunet.

^{&#}x27; fornicationem imitatur,'

s' Ib. xx1. 22. et n. 3, 4.

i' Ib. xx1. 10. V Ib. XXI. 15. n. 2.

h/ Ib. xx1. 9. et n. 6. k/ Ib. xxi. 14.

*ADDITAMENTA.

- 1. bSede tupa pîşiye odde pîş zeceoplize paşte 1. zeap J ryddan sa pobneş-bæze J Fpize-bæze J þa odpe æ-pæştenu ponza plæşc. J na þe hpadop poplæce hiş pîş. Donne ziş pep ppipa pîşab odde pîş ppipa ceoplad odde zyr ma pæşte 1111. zeap J sa þa hpile þe he lîşiye pæşte Dobneş-bazum J Fpize-bazum J þa þpeo odpe æ-pæştenu ponza plæşc. J ne şýn hî na þeah zebælbe ziş hî on pihr zeşinşcipe zezabe-pobe şýn: Y.Bx.
- 11. °N_I pam mærre-ppeorte ná alýreb \dagger he ýppe pær birceoper rýnne- roppam re birceop harað anpealb oren hine: ' Y. Bx.
- 111. d Lilo man mốt rýllan into mýnjthe peah man p oben zehátepra-peah if bécepe p man p zehát zerýlle. Eac zelíce obpe nýtenu man mốt alýran zir hit nýo-peapr bið: Y.Bx.
- iv. 'Lif je læpeba man hij äzen cilo oppnycee j acpelle pæjte izean on hläge j on pætepe-' j þa ii- gonza flæje j ealu- j gonhæbbe hine ppam ælcum pije- þa høile þe he þa bæbbôte bo: Y. Bx.
- v. ¹Da pe beoö zehâbobe pam Scyttircum¹ birceopum· oöbe pam Bnyttircum· pa pe rceane nabbaö pa oöne cynichice pneortag· ne pa Cartnon pa healbaö pa pe healbaö pa rceolon ert pam pam pihtzeleappullum birceope onjetnejje j jume zebébe beön zetpymebe.' Cac zelîce pa cyncean· pe beoö pam pam birceopum zehâlzoberceolon mib hâliz pætene beön zeonb-rtpebbe: Y. Bx.
- vi. $\mathfrak s$ Sebe prêlô hyær in Lober cỳpcan popyjbe hit peopenpealblice: $\mathcal S$ $\mathcal S$
- VII. Sebe ramnad ungemætlice peolan- fop his unfistome sylle he pone ppibban bæl peapsum: Y. Bx.
- ≠ man?
- vIII. ${}^{\rm h}$ Lip ${}^{\rm e}$ he zehälzob þinz popytéle ${}^{\rm III}$. zeap pæyte butan plæyte: ${}^{\prime}$ Y. Bx.
- ix. Be pam peo pe bið on ppembpe mæzðe j on peonbum on-zenumen. P bið on oðpum cýninge open-cumenum zerýlle pone ppibban bæl to Lober cýpcean. j peappan zebæle j xl. baza pærte poppam hit bið cýninger hær: Y. Bx.
- x. Lift fuzeler meox on pértan bereallet ry hit of-anumen y to hally perten in ponne bit re mete cliene, forpam rete mit blote otte

¹ preorcum obbe Bx. add.

^{*}Hactenus Ms. O.; quæ sequuntur capitula additamenta sunt ex Mss. Y. et Bx.

b/ Th. xix. 15.

J. B. XLVIII. S. n. 3.

*ADDITAMENTA.

- 1. Qui bis uxorem duxerit, (vel mulier quæ bis viro nupserit,) annum 1. jejunet, et postea semper die Mercurii et die Veneris, et ceteris legitimis jejuniis abstineat se a carne, et tamen non dimittat uxorem. Si autem vir ter uxorem duxerit, vel etiam sæpius, 1111. annos jejunet, et semper dum vivit, diebus Mercurii et Veneris jejunet, et ceteris tribus legitimis jejuniis abstineat se a carne; nec tamen separentur, si legitimo matrimonio conjungantur,
- 2. Presbytero non licet peccatum episcopi prodere, quia episcopus habet potestatem in eum.
- 3. Infantem quis potest dare in monasterium, quamvis alium vovisset, tamen melius est votum implere. Similiter alia pecora redimere licet, si necesse sit.
- 4. Si laicus proprium suum infantem oppresserit et occiderit, 1. annum in pane et aqua jejunet, et 11. abstineat se a carne et cervisia; et contineat se a quacunque muliere, dum pœnitentiam agat.
- 5. Qui ordinati sunt a Scottorum vel Brittonum episcopis, qui tonsuram, ut ceteri ecclesiastici presbyteri, non habent, nec Pascha ita observant uti nos observamus, ab episcopo orthodoxo, manus impositione et oratione, confirmari debent. Similiter ecclesiæ, ab episcopis illis consecratæ, aqua benedicta debent aspergi.
- 6. Qui aliquid furatus fuerit in ecclesia Dei quadruplum solvat.
- 7. Qui congesserit immodicas divitias, tertiam partem, pro stultitia sua, pauperibus tribuat.
- 8. Si quis rem consecratam furatus fuerit, 111. annos sine carne jejunet.
- 9. Pecunise que in aliena provincia, et hostibus rapta fuerit, id est rege alio superato, tribuatur tertia pars ecclesise Dei, et pauperibus distribuatur; et [qui eam rapuerit] xL. dies jejunet, quia jussio regis erat.
- 10. Si avium stercus in liquorem ceciderit, tollatur, et aspergatur [liquor] aqua benedicta, tunc cibus mundus erit: nam qui sanguine

^{4&#}x27; Th. Cap. p. 65.

^{1&#}x27; Th. Cap. p. 64. ubi textus proculdubio ut supra corrigendus.

⁸ Th. xxiii. 12. n. 2.

h' Ib. xx111. 1. et 12. n. 2.

[™] Ib. xx111. 17.

k' Ib. xxx. 5.

mis senize unclsene pinze sý bermiten zir he hit pizes j ne pat ne sepes him \rlap/p zir he hit ponne pat bête be pær pisloser mæse: Y. Bx.

xi. Lif munuc zegiteb pam Lober cypcan viii zeap pærte: Y. Bx.

xII. * Lif \mathfrak{P} yîr zepîte rham hipe pepe ·I· zeap rærte· zir heo unbermiten to him cỳppe· he nîme hỳ· \mathfrak{I} zir he ober hâm læbe ·III· zeap rærte· \mathfrak{P} poplezene pîr ·VII· zeap rærte: \mathcal{I} $\mathcal{B}x$.

XIII. b Sede ron beabne man rærred pel him rulrumiad: ' Y. Bx.

xiv. ^b Cỳning giệ he hapað oðper cýninger land he hit mốt rýllan pop hit raple: Y. Bx.

xv. 'Ne rceal re birceop him rýlr nænne abbob zeceoran ærten þær obner beade ne be him lirizenbum þeah he onnez zerite j zerjýnzie ne mót he þæn nænne obenne to-zerettan butan þæna bnopna pillan: 'Y. Bx.

xvi. d Ne sceal cyncean timber to ænizum objum peonce buton to obje cyncean obbe hit man sophænne to sumene speme þe þam Lober þeopum þears rý. þe in þam mýnstne rýn. 3 hit næspe rý zebon þam læpebum to nænizum brýce: ' Y. Bx.

xvii. *Lýpicean man mốt jettan on oốpe jtope gýp hit nýt-peapp jý. ac hý man ne mốt nữ ept hálgian butan þ án þ mæjje-ppeojt hig zeont-jtpegte mit hálig pætepe: Y. Bx.

xviii. Ly læpebe man munuc ût of myntthe alæbe fortolenne zanze he on myntthe J Lobe peoplze obse unbehnize mennifcne peoplom: Y. Bx.

xix. Sede opt prále beð vii. gean bére ppa him hir repirt him tæce j rede prále beð j he to bôte gecýppeð pýmle he rceal þingian pið þone þe he abýlgð j hit ert agýreð þonne lýttlað he þ pærten. Lýr he nýle oððe ne mæg þonne pærte he þa gerettan ríba: Y. Bx.

xx. h Lýr læpebe man obenne orrliho rop 'reor þinge-' zir he nýlle hir pepen roplæran- 2-vii- zeap pærte -iii- butan rlærce j ealað: "
Y. Bx.

xxi. Dir rynt þa niht ýmbnen-bagar þe man mið nihte healdan rceal þæt ir on ki Wantil on þæne ronman pucan j ki Iunil on þæne ærtenan pucan j on ki Septemb on þæne þnibban pucan j on ki December on þa nehrtan pucan æn Enirter mærran: Y. Bx.

1/ ppeogunge. Y.

[&]quot;Th. xix. 9. et n. 1. "Ib. p. 64.

b' Th. Cap. p. 65.
d' Th. XLVII. 5.

vel re alia immunda pollutus fuerit, si comederit et non noverit, non nocet ei; si autem noverit, juxta pollutionis gradum emendet.

- 11. Si monachus ab ecclesia Dei discesserit, vII. annos jejunet.
- 12. Si uxor a marito suo discesserit, annum 1. jejunet; si impolluta ad eum reversa fuerit, recipiat ipsam; et si aliam domum conduxerit, 111. annos jejunet. Mulier adultera v11. annos jejunet.
 - 13. Qui pro homine mortuo jejunat, seipsum bene adjuvat.
- 14. Rex si alterius regis terram habet, potest donare pro anima sua.
- 15. Non debet episcopus solus, abbate mortuo, alium eligere; neque eo vivente, quanquam discesserit et peccaverit, non licet ei alium constituere, sine voluntate fratrum.
- 16. Ligna ecclesiæ non debent ad aliud opus poni, nisi ad aliam ecclesiam, vel comburantur ad aliquem profectum, quo Dei servis, qui in monasterio sint, opus erit; et nunquam ponantur ad usum laicorum.
- 17. Ecclesiam licet in alium locum ponere, si necessitas fuerit, attamen eam iterum consecrare non licet, sed tantum ut presbyter eam aspergat aqua benedicta.
- 18. Si laicus monachum de monasterio furtim abduxerit, intret in monasterium et Deo serviat, vel se humano servitio subjiciat.
- 19. Qui sæpe furtum fecerit, vII. annos emendet, prout ei confessarius ejus ei præscripserit. Et qui furtum fecerit, et ad emendationem se convertere velit, semper debet reconciliari ei quem offendebat, et restituere furtum; tunc breviabit jejunium. Si nolit, vel non possit, tunc tempus constitutum jejunet.
- 20. Si laicus alium occiderit pecuniæ causa, si arma sua relinquere nolit, v11. annos jejunet; 111. sine carne et cervisia.
- 21. Hi sunt legitimi quatuor temporum dies, qui legitime observari debent: id est, kai Martii, prima hebdomada; et kai Junii, secunda hebdomada; et kai Septemb, tertia hebdomada; et kai Decemb, hebdomada proxima ante Natale Christi.

2 . VIII. Y.

d Ib. x∟vii. 2.

E' 16. XXIII. 4.

[&]quot; Ib. xx111. 12. b" Ib. xx1. 11. et n. 7.

xxII. Lif hpylc man on his zymeleaste sæste on Sunnan-bæzsegerte ponne est ealle pican- zis he oben side bô- sæste xx. baza- zis he psibban side spa bô- sæste xxl. baza- zis he sæste son bæs bæzes nydenunge j sonseznesse sy he ponne asymped spam Lobes cyncean j amansumad spam eallum Listenum solce- spa spa ha Iubeos: 'Y.

xxIII. b Lif hpýle man fophýcze zebôben pærten on Lober folce- j onzean þæpa pitena zeretnerre obbe repirte- pærte-xl. baza- butan þam æ-pærtenum j lengten-pærtene- zir he hit zelôme bô- j he him to zepunan hæbbe- rý he abniren or Lober cýpean- rpa rpa Dpihten rýlra cpæð. Lif man zerpícað æt anum þiffa or þiffum meðmærtan-betepe him pæpe j eorul-cpeopin pæpe zeppiðen to hir rpeopian- j he pæpe apoppen út on ræ:-/ Y.

xxiv. ^cLif hya fon birceoper heere onince ne depet hit him nahrbeah he pripe: 'Y.

xxv. d Nir na alýreb p þær mynrtner hlafonb rýlle þæpe cýncean lanb to oðne cýncean þeah him ba unben-þeobbe beon zir he þonne hpýlc lanb pýlle zepnixlian bô he þonne p mið zeþeahte bezna þæpa hipeba þe æt þam cýncean rýnbon: ' Y.

xxvi. ^cLif hpýlc man pýle fettan hif mýnften on obne stope bố he p be pær bifceoper leafe. J pæna bnopna in pam mýnftne. J læte peah cýncean stanban a in pæne ænnan stope. J bố pæn mæffe-pheost to: Y.

xxvIII. Lie hpỳle mærre-pheort obbe biacon bhinge pie ham on poleær gepitnerre- ry he amanrumob: Bx.

xxix. Lyr hpylc man or hir zepohtum obbe or hir zepitte reole- j him zelimpe p he man orrlese ropzelbon pone man hir mazar. j hine pib obæp rpylc zercylban. Lir man hine orrles on pam unzepitte- æn man pite hpæben hir mazar him rope pinzian pillon- ropzelbon pone man hir mazum pa men pe hine orrlean: Bx.

xxx. § Lýp man þuph þpýrtlæcnýp man pullað. J ne bið him rýlpe je bið to apoppenne ppam ælcepe cýpicliche zeramnunge. J he ne rý næppe ept zehádob: $^{\prime}$ Bx.

xxxi. h Spa hpýle rpa hine rýlpne zerpeoze be hir pulluhte- j eac obje men nýton hpeben he zerullob pær- he rceal beón est zerullob: Rx.

[✓] Th. xxxvIII. 14.

J Ib. xxv1. 9.

- 22. Si quis, ex incuria sua, die Dominico jejunaverit, totam hebdomadam sequentem jejunet; si altera vice fecerit, xx. dies jejunet; si tertia vice sic fecerit, xL. dies jejunet. Si ad damnationem et contemtum diei jejunaverit, exterminetur ab ecclesia Dei, et excommunicetur a toto populo Christiano, sicut Judæi.
- 23. Si quis contemserit indictum jejunium inter Dei populum, et contra decretum vel mandatum seniorum, xL. dies jejunet, exceptis legitimis jejuniis, et quadragesimali jejunio; si sæpe fecerit, et ei consuetudini sit, expellatur ab ecclesia Dei, secundum quod Dominus ipse dixit: 'Si quis scandalizaverit unum de pusillis istis, melius ei esset ut mola asinaria alligaretur collo suo, et abjiceretur in mare.'
- 24. Si quis jussu episcopi biberit, nihil ei nocebit, quamquam evomuerit.
- 25. Non licet monasterii domino terram ecclesiæ alii assignare ecclesiæ, quamvis ambæ in potestate ejus sint; si autem terram aliquam commutare velit, faciat cum consilio ambarum sodalitatum quæ in ecclesiis istis sint.
- 26. Si quis monasterium suum in alio loco ponere velit, faciat cum venia episcopi et fratrum, qui in illo monasterio sint; ecclesiam vero relinquat semper in priori loco, eique presbyterum assignet.
- 27. Si quis existimet quod liceat, munditiæ alicujus causa, bis baptizari, tunc 111. annos, sine intermissione, jejunet; et postea etiam jejunio et eleemosynis usque emendet, quamdiu vivet.
- 28. Si presbyter quis vel diaconus mulierem domum duxerit, cum cognitione populi, excommunicetur.
- 29. Si homo quis animo suo vel mente sua exciderit, et ei aliquem occidere evenerit, solvant pro homine propinqui ejus, et eum contra simile quid servent. Si quis inscienter eum occiderit, antequam cognitum erat, num amici ejus pro eo intervenire vellent, solvant pro homine propinquis ejus, homines qui eum occiderint.
- 30. Si quis ex temeritate aliquem baptizaverit, et ipse [ordinatus] non sit, abjiciendus est a quaque ecclesiastica congregatione, neque unquam postea ordinatus sit.
- 31. Quicunque dubitat de baptismo suo, et alii quoque homines nesciunt num baptizatus esset, denuo baptizari debet.

e' Ib. p. 64. n. 1.

^{8&#}x27; Ib. xxxviii. 4.

¹ Th. xxxviii. 2. b' Th. Cap. p. 65.

XXXII. Sebe pop open-pylle pripe peope xIII. baxar :- Bz.

* ·IIII ·? XXXIII. Lýp hpýle man hine pið pæmnan poplicze- pæpte * ·XIIII · zeap · oððe tpå be þam pulleptan : Bx.

xxxIV. Lýp man obnum men æht zerthýbe ponzelbe hit peopenpealblice pra Enirt rýlpa cpæb: Bx.

XXXV. b 1 Ne bið alýpeð ær þam þeopan hir peoh to nîmanne. \mathfrak{P} he mið hir ryýnce begireð: \mathcal{P} Bx.

Spa hyýle man ppa par Seriff-bőr tilize to abpecanne on sepe ropbémebnýrre he rý ropbémeb. Amen Deo. Y. Bx.

1' Nir nanum men alýreb † he name on hir þeope æniz reoh. buton hir pillan. j butan roppýphtum. zir he hit mið pihte zertpýneð: * Y.

✓ Th. xxvi. 3.

- 32. Qui ex satietate evomuerit, xIII. dies pœniteat.
- 33. Si quis cum puella fornicatus fuerit, *xIIII. annos jejunet, vel * IIII.? duos plene.
- 34. Si quis alium bonis spoliaverit, reddat quadruplum, ut Christus ipse dixit.
- 35. Non licet pecuniam suam servo auferre, quam ipse labore suo adquisiverit.

Quicunque Confessionale hoc violare conatus fuerit, ad sempiternam damnationem condemnetur.

Nemini licet servo suo pecuniam aliquam auferre, sine voluntate ejus, et sine malefactis; si eam legitime adquisiverit.

w Ib. xix. 30.

• OF ECCLESIASTICAL COMPENSATIONS, OR 'BŌTS,'

- 1. Seoponjealde zira pind Lalizer Larter. y peopon ptapar pindon cipiclicha zpada y halizha hada. y pipon pidan Loder peopar pculon Lod hepizan dæzhpamlice on cipican. y pop eal chipten pole pinzian zeopine. y eallum Loder ppeondum zebiped pride pihte p hi Loder cipican lupian y puppian. y Loder peopar ppidian y zpipian. y rede heom zedepize mid popde odde peopice. peoponjealdne bôte zedete hit zeopine. be pam pe peo dæd py. y be pam de pe had py. zip he Loder miltre zeeapinian pille. poppam halidom y hadar. y zehalzode Loder hur a man peeal pop Loder eze pupdian zeopine:
- 11. And to had-bote tip lip-lyne puppe to-eacan pam puht pene pone popman ptæpe bete man mid ane punde y mid godne bote pingige geopne:
- III. And to had-bote gip reoph-lype puppe to-eacan ham pint pene set ham objium, præpe tha pund to bote mid god-cundan repirte:
- IIII. And to had-bote. Jir rul-bpice pypoe. to-eacan pam piht pene. set pam ppiddan respe ppeo pund to bote. mid zodcundan repirte:
- v. And to had-bote gir rul-bryce pyrde to-eacan pam ruht pene æt pam reordan rtæpe reoper pund to bote mid godcundan repirte:
 - vi. And to had-bote zir rul-bnice pynde to-eacan pam

¹ nepian D. zpidian H.

*OF ECCLESIASTICAL COMPENSATIONS, OR 'BŌTS.'

- 1. Sevenfold are the gifts of the Holy Ghost, and seven are the degrees of ecclesiastical states, and holy orders, and seven times should God's servants praise God daily in church, and for all Christian people earnestly intercede. And it is very rightly incumbent on all God's friends, that they love and venerate God's church, and in 'grith' and 'frith' hold God's servants; and let him who injures them, by word or work, earnestly make reparation with a seven-fold 'bōt,' as the deed may be, and as the order may be, if he will merit God's mercy; because holiness, and orders, and God's hallowed houses, are, for awe of God, ever to be earnestly venerated.
- 2. And for order-'bot,' if there be loss of life, in addition to the legal 'wer,' for the first degree let 'bot' be made with one pound; and, with good 'bot,' let earnest intercession be made.
- 3. And for order-'bot,' if there be loss of life, in addition to the legal 'wer,' for the second degree, two pounds for 'bot,' with ecclesiastical shrift.
- 4. And for order-'bot,' if there be 'full breach,' in addition to the legal 'wer,' for the third degree, three pounds for 'bot,' with ecclesiastical shrift.
- 5. And for order-'bot,' if there be 'full breach,' in addition to the legal 'wer,' for the fourth degree, four pounds for 'bot,' with ecclesiastical shrift.
 - 6. And for order-'bot,' if there be 'full breach,' in addition

[•] The text is from D, collated with H.

Juht pene- æt þam riftan ræpe ·v· pund to bôte· mid zodcundan repirte:

- vii. And to had-bote gif ful-bpice pypõe to-eacan þam juht pene æt þam jixtan jtæpe vii pund to bote mid zod-cundan jchijte:
- vIII. And to had-bote gir rul-byèce punde to eacan pam puht pene æt pam reoropan rtæpe vIII pund to bote mid zodcundan rchirte:
- rx. And to had-bote pan ram-bnýce punde béte man geonne be pam de reo dæd rý:
- x. An rceal mid pilite dom ærten dæde y medemung be mæhe ron Irode y ron popiloe:
- xi. And pire pæpon poplo-piran. þe to godcundan puht-lagan þar laga retton. polce pop rteope. y hálldóm y hádar. pop Goder luran pupdodon. y Goder húr. y Goder þeopar. deoplice gpudedon:
- xII. And had-bot mid pilites an dæl þam bircopes oðen þam *pi-bedes y þjildde *pam gerenrcipe:

1 man	O. add.	² piz-bebe	H.

to the legal 'wer,' for the fifth degree, v. pounds for 'bot,' with ecclesiastical shrift.

- 7. And for order-'bot,' if there be 'full breach,' in addition to the legal 'wer,' for the sixth degree, vi. pounds for 'bot,' with ecclesiastical shrift.
- 8. And for order-'bot,' if there be 'full breach,' in addition to the legal 'wer,' for the seventh degree, vii. pounds for 'bot,' with ecclesiastical shrift.
- 9. And for order-'bot,' where there is 'half breach,' let 'bot' be diligently made, according as the deed may be.
- 10. Judgment ought ever to be with justice, according to the deed, and mitigation according to degree, before God and before the world.
- 11. And wise were those secular 'witan,' who to the divine laws of right, first added these laws, for a guide to the people; and reverenced, for love of God, sanctity, and holy orders; and God's houses and God's servants firmly protected.
- 12. And of order-' bot,' according to law, one part is for the bishop, the second for the altar, and the third for the brother-hood.

3 O. omit.

CANONS

ENACTED UNDER KING EDGAR.

- I. * ¹Pe læpað.' β ² Γιοδεγ þeôpaγ' beon zeopnlice Γιοδε þeôpizende. y þénizende. y rop eal Ερίγτεη rolc þinzizende. y β hi ealle beon á heopa ealdpe holde y zehfyrume. y ealle ánpæde το zemænpe þeapre. y β ælc γι οδριμπ το rultume y helpe. ze rop Γιοδε. ze rop poplde. y β hi beon heopa popldhláropdum eác holde y zetnýpe³:.
- 11. ⁴And pe læpað. ў ælc pupöize oðepne. у hýpan þa zinzpan zeopne heopa ýldpum. у lúpian у læpan þa ýldpan zeopne heopa zinzpan:
- 111. And pe læpað. Þ hí to ælcon rinoðe habban ælce geape. bece y pear to zodeundne þenunge. y blæe y boe-rel to heoja zepædnerrum. y þreoja daza bi-pirte:
- 1111. ⁴And pe lienad. I preofta zehpile to finode hæbbe hir elenie. I zerædne man to enihte. I nænizne unpitan he diriz lûrize. ac rapan ealle mid zeræde I mid Goder Elmihtizer eze:
- v. And pe læpað. Þælc ppeort on rinoðe zecýþe. zir him hpæt depize. J zir him æniz man healice mirbóden hæbbe. Jrón hi þonne ealle on. rpilce hit heom eallum zedón beo. J zerilrtan tó. Þ hit man zebéte rpa birceop zetæce:
- * % openhypne.
- vi. And pe læpað. Þ ppeorta zehpilc on rýnoðe zecýþe zir he on hir rchirt-rcipe ænizne man pite Irobe *openhýpe. oþþe

¹/piht if for pe læpað throughout X. ³ ærten Lober pihte. add.

2/ ppeortar

V omit

The text is from D.; the collations from X.

CANONS

ENACTED UNDER KING EDGAR.

- 1. We enjoin, that God's servants be zealously serving, and ministering to God, and mediating for all Christian people; and that they all be ever faithful and obedient to their superior; and all unanimous for the common need: and that each be to other a support and a help, both before God and before the world; and that they be to their temporal lords also faithful and true.
- 2. And we enjoin, that each respect other; that the juniors zealously obey their elders; and the elders zealously love and teach their juniors.
- 3. And we enjoin, that they, at every synod, have, every year, books and garments for divine ministry, and ink and vellum for their ordinances; and provision for three days.
- 4. And we enjoin, that every priest at the synod have his clerk, and an orderly man for servant, and no ignorant person who loves folly; but let all go with decorum, and with fear of God Almighty.
- 5. And we enjoin, that every priest declare in the synod if aught be prejudicial to him, and if any man have highly injured him; and let them then all take it up, as if it had been done to them all, and so aid, that 'bot' be made, as the bishop shall direct.
- 6. And we enjoin, that every priest declare in the synod if, in his shrift-district, he know any man contumacious to God,

according to God's law.

on hearod-leahtpum ýrele berealenne. þe he to bóte gebigan ne mæge. oþþe ne duppe rop popló-arole:

vii. And pe lænað. Þ nán racu þe betpeox pneortan rí. ne beo zercoten to poplo-manna rome. ac réman y ribbian heona ázene zerénan. obbe rceotan to ham bircope. zir man þ nýðe rcule:

viii. And pe lépade p énig preorte rilr-pillere ne ropléte pa cipcane pe he to gebletrod pære ac hæbbe him pa to pilt-épe¹:

ix. And pe læpað. Þ nan ppeorta oðnum ne æt-bó. ænig þápa þinga þe liim tó-gebipige. ne on hir mýnrtpe. ne on hir rchite. ne on hir gildreipe. ne on ænigum þápa þinga þe him tó-gebipige:

x. And pe lepad. Fremz preort ne underro oprer reolerebuton per leare pe he en rolzode:

x1. And pe lépad. p preorta zehpilc. tó-éacan lape. leonnize hand-crært zeonne:

xII. And pe lienad. p eniz zeleped ppeort. ne rembe pone ram-liepedan. ac zebete hine. zir he bet cunne:

жии. And pe læpað. þ æniz ronð-bópen ppeort ne ropreo þone læp-bópenan. ropþam zir man hit ápiht ármeað. þonne rin ealle men ánna zebipða:

xiv. And pe lænað. Þ ppeorta zehpilc tilize him pihtlice. y ne beo æniz manzepe mið unpihte. ne zitrizende marrepe:

xv. And pe læpað. Þ ppeorta zehpilc pulluhter² tiðizerona rpa man hir zipne. Þ æzhpap on hir rchirt-rcípe beóde-Þ ælc cíld rý zepullod binnon s.xxxvii. nihtum. Þ þ æniz man tó lanze unbircopod ne pupðe:

¹ pa hpîle pe hir lîr riz. add.

² j repircer add. ³·VII.

or miserably sunk in deadly sins, whom he cannot incline to 'bot,' or dare not for worldly opinion.

- 7. And we enjoin, that no dispute that be between priests be referred to the adjustment of secular men; but let them adjust among and appease their own companions; or refer to the bishop, if that be needful.
- 8. And we enjoin, that no priest voluntarily forsake the church to which he was consecrated, but have it to him for lawful spouse.
- 9. And we enjoin, that no priest deprive another of any of those things which appertain to him; neither in his minster nor in his shrift-district, nor in his gildship, nor in any of the things appertaining to him.
- 10. And we enjoin, that no priest receive another's scholar, without leave of him whom he previously followed.
- 11. And we enjoin, that every priest, in addition to lore, diligently learn a handcraft.
- 12. And we enjoin, that no learned priest put to shame the half learned, but improve him, if he know better.
- 13. And we enjoin, that no high-born priest despise the lower born; because if it be rightly considered, then are all men of one birth.
- 14. And we enjoin, that every priest provide for himself lawfully, and let no one be a monger unlawfully, nor a covetous merchant.
- 15. And we enjoin, that every priest grant baptism as soon as it is demanded; and everywhere, in his shrift-district, command, that every child be baptized within xxxvII. days; and that no one be too long unconfirmed.

the while that his life lasts. and shrift

xvi. And pe læpað þ ppeorta zehpilc chirtendóm zeopnlíce 'apæpe. y ælche hæðendóm mid-ealle adpæpe. y pophéode pil-peophunza. y líc-pizlunza. y hpata. y zaldpa. y man-peophunza. y þa zemeapp þe man dnírð on mirlícum zepizlunzum. y on prið-pplottum. y on ellenum. y éac on oðhum mirlícum théopum. y on pranum. y on manezum mirlícum zedpimenum þe men ombheozað rela þær þe hí ná ne rcoldon:

xvII. And pe lépad. F ælc chirten man hir beann tô chirtendôme zeopnlice pænize. I him Paten norten y Epedon téce:

xvIII. And pe læраб. ў man zerpīce rneoly-bazum hæбenna leoba у beorler zamena:

хіх. And pe læpað. ў man zerpice Sunnan-dæzer суріпде. у rolc-zemoca:

хх. And pe léspad. ў man zerpice hizeleárjia эдереда у біргісра дереда у біргісра ерерипда:

xxi. ⁸ And pe lænað. ў man zerpice cirer-zamanna у lúrize piht æpe:/

xxII. And pe lépad. p ælc man leonnize. p he cunne Paten norten y Epedon. be pam pe he pille on zehálzodan lezene liczan. oppe hurler punde beón. roppam he ne bid pel chirten. pe p zeleonnian nele. ne he náh mid pihte odner manner tó onrónne æt rulluhte. ne æt bircoper handa. rede p ne cann. ép he hit zeleonnize:

жин. And pe læpað. ў греоіт-дадит у рінт рæртеп-дадит. ænig дерінт ne beo betpeox mannum. sealler то грібе:

xxiv. And pe læpað. þ man rpeolr-dazum у rærten-dazum ropza aðar у орбеla:

¹ læpe

² theop-puphunga. I stan-puphunga. I fone beorles chært. þæn man þa cilb þuph þa eopfan tihf. I þa zemeapp þe man bpihf on zeapes niht.

s' omit. 4 péba D., X. ut in textu.

249

- 16. And we enjoin, that every priest zealously promote Christianity, and totally extinguish every heathenism; and forbid well-worshipings, and necromancies, and divinations, and enchantments, and man-worshipings, and the vain practices which are carried on with various spells, and with 'frith-splots,' and with elders, and also with various other trees, and with stones, and with many various delusions, with which men do much of what they should not.
- 17. And we enjoin, that every Christian man zealously accustom his children to Christianity, and teach them the Pater noster and Creed.
- 18. And we enjoin, that on feast-days heathen songs and devil's games be abstained from.
- 19. And we enjoin, that Sunday trading, and folk-moots, be abstained from.
- 20. And we enjoin, that unbecoming garments, and foolish discourses, and ignominious shavings be abstained from.
 - 21. And we enjoin, that a man abstain from concubinage, and love his lawful wife.
 - 22. And we enjoin, that every man learn so that he know the Pater noster and Creed, if he wish to lie in a hallowed grave, or be worthy of housel; because he is not truly a Christian, who will not learn them; nor may he who knows them not rightfully receive another man at baptism, nor at the bishop's hand, ere he learn them.
 - 23. And we enjoin, that on feast-days, and lawful fast-days, there be no strife among men, to any excess.
 - 24. And we enjoin, that on feast-days and fast-days, oaths and ordeals be foregone.

tree worshipings, and stone worshipings, and that devil's craft, whereby children are drawn through the earth, and the vain practices which are carried on on the night of the year,

xxv. And pe læpað. Þ ælc per ronga hir pir rpeoly-tidum

xxvi. And pe læpað. Þ ppeoftar cipican healdan mið ealpe áppupðnerre tó zodcundne þénunze. I tó clænan þéopdóme. I tó nánum oðpum þinzum. ne hí þæp æniz unnit. inne ne on neaperte. ne zeþárian. ne ídele rpæce. ne ídele bæde. ne unnit zeðpinc. ne ærpe æniz ídel. ne binnan cipic-túne æniz hund? ne cume. ne rpín þe má. þær þe man pealdan mæze:.

xxvII. And pe læpað. Þ man into cipcan ænig þinge ne logige. Þær þe þap-tó ungebarenlic rí:

xxvIII. And pe lænað. Þ man æt cinic-pæccan rpiðe zedneoh 11. y zeonne zebidde. y æniz zedninc. y æniz unnit þan ne dnedze:

xxix. And pe læpað. Þ man innan cipcan ænigne man ne bipige. bûton man pite Þ he on lipe Iode to þam pel zecpembe. Þ man þunh Þ læte. Þ he ri þær legener pýnðe:

xxx. And pe lespad. p preort on enigum hure ne mærrige. buton on zehalzodne cipican. buton hit ji rop hpilcer manner oren-reocnerre:

xxxi. And pe lépad. p preort hunu ærne ne mærrige. buton on-uran zehalzodon peorode:

xxxII. And pe læpað. Þ ppeort ærne ne mærrize buton bece ac beo re canon him æt-ropan eazum. bereo to. zir he pille. by lær þe him mirre:

жжин. And pe lænað. Þælc ppeort hæbbe coppopalem ponne he mærrize. у бривисиlam unden hir alban. у eal mærre-pear pundlice behpopren:

xxxiv. And pe lépad. I æle ppeort zeopne tilize. I he zôde q hupu pihte bêc hæbbe:

жжхv. And pe lépad. р émiz mærre-ppeort ana ne mærrize. р he anæbbe pone pe him acpede:

¹ дебріһ**þа**•

² ne hopr add.

- 25. And we enjoin, that every man forego his wife on feast-tides and lawful fast-tides.
- 26. And we enjoin, that priests keep their churches, with all reverence, for divine ministry and for pure service, and for no other things; and that they allow not any thing useless, either within or near; neither idle speech, nor idle deed, nor useless drinking, nor ever any frivolity: nor within the churchenclosure let there come any dog, nor yet more a swine, if it can be so ordered.
- 27. And we enjoin, that into a church there be put nothing which may be unbefitting thereto.
- 28. And we enjoin, that every one, at the church wakes, be very sober, and earnestly pray, and suffer there no drinking, nor any vanity.
- 29. And we enjoin, that no man be buried within a church, unless it be known that he in life was so acceptable to God that, on that account, it be admitted that he is worthy of such a grave.
- 30. And we enjoin, that no priest celebrate mass in any house, but in a hallowed church; unless it be for any one's extreme sickness.
- 31. And we enjoin, that no priest, on any account, ever celebrate mass, except on a hallowed altar.
- 32. And we enjoin, that no priest ever celebrate mass without book; but let the canon be ever before his eyes: let him look to it, if he will, lest aught escape him.
- 33. And we enjoin, that every priest have a corporale, when he celebrates mass, and a subucula under his alb, and all his mass-vestment worthily appointed.
- 34. And we enjoin, that every priest diligently provide, so that he have good, and especially orthodox books.
- 35. And we enjoin, that no mass-priest celebrate mass alone, so that he have not one to respond to him.

⁴ coppopale

⁵ rubumbpale

⁶ hæbbe

xxxvi. And pe læpað. Þ æniz unrærtende man hurler ne ábinize. buton hit ron oren-reocnerre rí:

жжин. And pe lenad. В eniz pheort aner dezer orton ne mærrige bonne 'phipa. mært þana' þinga:

xxxvIII. And pe lænað. Þ pheort hæbbe á geana hurl þam þe þeant rí. y þ geonne on clænnerre healde. y spanige þ hit ná ronealdige. gir hit þonne ronealden rí. Þ hir man bhucan ne mæge. Þonne ronbænne hit man on clænum ríne. y þa axran unden peorode gebninge. y béte pið Iod geonne reþe hit rongímde:

xxxxx. And pe læpað þ næfpe ppeoft ne zeþpiftlæce þ he mæffize buton he eal hæbbe þ tó hurle zebipize þ if clæne óflete y clæne pín y clæne pætep. på þam þe mæffian onzinð buton he ælc þápa hæbbe y pá þam þe þæp fúl þinz tó-beð fronþam he beð þonne zelíce þam þe Iudear didonþa hí mænzdon eced y zeallan tó-zædepe y hit fiþþan on hir birmen Epifte zebudon:

xl. And pe lænað. Þærne ne zepunde Þpneort mærrize. y rýlr Þhurl ne zehicze. ne man zehálzod hurl. nærne ert hálzize:

жы. And pe læpað. þælc calic дедотен beo þe man hurl on hálgige. у on треоренит не hálgige man ænig:.7

xLII. And pe lienato p ealle pa pinze pe peorode neah beongio cipcan zebypiano beon rpite cleentice y puptifice behoppene. y pap eeniz pinze fuller neah ne cumeo ac zelozize man pone halizdom rpite appuptifice. y a ri bypnende leoht on cipcan ponne man mærran rinze:

жин. And ре læраб. р man ne гордуте æniz zehalzod

8 papnize

5 omit.

ppipa originally, but altered to tpiza.

² mærcpa 4 omit.

⁶ zylben obbe reolphen unen in margin.

⁷ zir he nylle beon amanyumob. (in margin, in the same antient hand.) ne nænne man rullize ortop ponne æne. add.
8 D. omit.

- 36. And we enjoin, that no one unfasting taste of the housel unless it be for extreme sickness.
- 37. And we enjoin, that no priest on one day celebrate mass oftener than thrice, at the very utmost.
- 38. And we enjoin, that a priest have housel always ready for those who need it, and that he carefully preserve it in purity, and take heed that it be not impaired by age; but if it be impaired, so that it cannot be used, then let it be burned in a pure fire, and the ashes brought under the altar; and let him who neglected it earnestly make 'bot' to God.
- 39. And we enjoin, that no priest ever presume to celebrate mass, unless he have all things fitting for the housel; that is, a pure oblation, and pure wine, and pure water: woe to him who undertakes to celebrate mass, unless he have every of these; and woe to him who there adds any foul thing; like unto what the Jews did, when they mingled vinegar and gall together, and then, in mockery of him, offered it to Christ.
- 40. And we enjoin, that it never happen that a priest celebrate mass, and not taste the housel himself; and that hallowed housel be never hallowed a second time.
- 41. And we enjoin, that every chalice be molten, in which the housel is hallowed; and that none be hallowed in a wooden one.
- 42. And we enjoin, that all the things which are near to the altar, and belong to the church, be very cleanly and worthily appointed, and where nothing foul may come near them; but let the 'haligdom' be very reverendly placed; and let there be always burning lights in the church, when mass is singing.
 - 43. And we enjoin, that no holy thing be neglected, neither

golden or silver [or] tin if he will not be excommunicated. and baptize no one oftener than once.

pinge ne háliz pæten ne reált ne rtón ne hlár ne æniz pinge hálizer 2:

xliv. And pe læpað. Þænig pírman neah peorode ne cumeþa hpíle þe man mærrige:

xLv. And pe liepad. I man on pultue timan tida punge. I ppeorta zehpulc bonne hir tid-ranz on cincan zerece. I bap mud Iroder eze hiz zeopne zebiddan. I ron eal rolc binzian:

xLvi. And pe lænað. Þ mærre-ppeorta obbe mynrtepppeorta ænig ne cume binnan cipcan-bype- ne binnan speohrtealle- butón hir open-rlipe- ne hunu æt þam peorode þ he þæn þenige- buton þæne pæde:

xLvII. And pe læpað þænig gehádod man hir rceape ne hélige ne hine mirererian ne læte ne hir beand ænige hpile hæbbe be þam þe he pille Itoder bletrunge habban y 6ce Petper y tipe:

xLvIII. And pe læpað. Þ ealle ppeortar æt rpeólran yæt rærtenan anpæde beon. y ealle on ane piran beodan þ hi rolc ne dpelian:

жых. And pe lænað þælc rærten beo mid ælmerran деpunðað þir þ деhpá on Iroder ert ælmerran деорие rýlleponne bið hir rærten Irode þe десретре:

- L. And pe lænað. pppeortar on cipic-jenungum ealle and peogan. beon expenseonde on geaper ræce on eallum cipic-jenungum:
- LI. And pe læpað þ ppeortar zeúzuðe zeopnlice læpan y to cpærtan teon þ hi cipic-rultum habban:
- ил. And pe læpað. ў ppeortar ælce Sunnan-dæze rolce bódigan y аа́ pel býrman:

ин. And pe læpað. ў nán cpirten-man blóð ne þicze náner cýnner:

^{*} orlet? 1 ne zehálzobe axan. ne zehálzob *ort add.

² ac pophæpne hit man on clænum pype butan hir man eller notian mæge j þa axan unden peopode zebninge add.

³ peorob-realle. 4 oren-rlope. 5/ eren ronde oren

holy water, nor salt, nor incense, nor bread; nor anything holy.

- 44. And we enjoin, that no woman come near to the altar, while mass is celebrating.
- 45. And we enjoin, that at the right time the hours be rung, and every priest then attend his canonical hours in the church, and there, with fear of God, fervently pray, and intercede for all people.
- 46. And we also enjoin, that no mass-priest, or minster-priest, come within the church-door, nor within the sanctuary, without his upper vestment; nor, on any account, to the altar, so that he there minister, without that garment.
- 47. And we enjoin, that no man in holy orders conceal his tonsure, nor let himself be mis-shaven, nor have his beard for any time; if he will have God's blessing, and St. Peter's, and our's.
- 48. And we enjoin, that all priests, at festivals and fasts, be of one mind, and all in one wise command, so that they lead not people into error.
- 49. And we enjoin, that every fast be solemnized with alms; that is, that every one, for the love of God, willingly give alms; then will his fast be the more acceptable to God.
- 50. And we enjoin, that priests, in ecclesiastical ministries, all be on an equality, and, in a year's space, be like worthy in all ecclesiastical ministries.
- 51. And we enjoin, that priests diligently teach youth, and educate them in crafts; that they may have ecclesiastical support.
- 52. And we enjoin, that priests, every Sunday, preach to the people, and always set a good example.
- 53. And we enjoin, that no Christian man taste blood of any kind.

nor hallowed ashes, nor hallowed *fruits, (?)
but let it be burned in a pure fire, (unless it may be otherwise
made use of,) and let the ashes be brought under the altar.

* oblation?

LIV. And pe læpað. Þ ppeortar rolc mýnezian. Þær þe hí Lode dón reulan tó zepihtan. on teoðunzum. y on oðpum þinzum. Æpert rulh-ælmerran .xv. niht on-uran Carthon. y zeózuðe teoðunze be Pentecorten. y eopð-pertma be 2 Omnium Sanctopum. Y Rom-reóh be Pether-mærran. y cipic-reeat be Waptinur-mærran. 3

tv. And pe lænað. β ppeograf rpa dælan rolcer ælmerran. β húz ægðen dón. ze Iod zezladian. ze rolc tó ælmerran zepænian: 4

Lvi. And pe læpað. Þ ppeoptar realmar ringan þonne hí þa ælmerran bælan. Þ þa þeapran geopne bibban. Þ híg rop þ rolc þingian:

LvII. And pe leenad. В pheortar beongan pid oren-bnuncen.

LVIII. And pe lænað. þæniz ppeort ne beo ealu-rcop. ne on ænize piran zlipize mið him-rýlrum. oþ[þe mið] oðnum mannum. ac beo rpa hir háðe zebýnað. pir 4 peopörull:

LIX. And pe læpað. Þ ppeortar pið áðar beongan him geonne. 4 hig eac rpiðe ropbeodan:

Lx. And pe lænað. Þæniz ppeort ne lúrize pirmanna neapirte. ealler to rpiðe. ac lúrize hir niht-æpe. Þir hir cipice:

2/ Calpa Dalzena mærran.

4 y pihr ir f man betæce ænne bæl ppeortum. obenne bæl to cypic-

neobe pribban bæl þam þeanrum add.

Dungtan zebémbe. † je mæjje-ppeojt næjje- zir he pîr hæjbeænizje obje labe pýpje- butan eallypa læjebe jceolbe- je eren-bojjen pæjje- zir man mið tihtlan þæne belebe:-

And pilit if zijt peorod-pen hine hpilitlice healbe ponne fy he fuller

pener 7 pynociper pynoe: add.

¹ J piht if p man hiffer mynezize to Eastpum. obne jiše to zanzbazum. ppibban jiše to mibban-jumena. ponne biš mæjt jolcer zezabenob. add.

³ J leoht-zerceotu pripa on zeape. Épert on Cartep-æren. J obpe ribe on canbel-mærre æren. pribban ribe on Calpa Palzena mærre æren. add.

⁵ And pihr if zir peorob-pen hir azen lîr be bôca tæcinze pihrlice radize ponne rŷ he ruller pezenrciper pŷppe ze on lîre ze on lezene zŷr he hir lîr mirradize panize hir pŷpdrcipe be pam pe reo dæd rŷppite zir he pŷlle ne zebŷpad him nadop ne to pîre ne to populb-pizezir he Lobe pile pihrlice hỳpan j Lober laze pihrlice healdan:

- 54. And we enjoin, that the priests remind people of what they ought to do to God for dues, in tithes, and in other things; first, plough-alms, xv. days after Easter; and a tithe of young, by Pentecost; and of earth-fruits, by All Saints; and 'Romfeoh,' by St. Peter's mass; and church-scot, by Martinmas.
- 55. And we enjoin, that the priests so distribute the people's alms, that they do both give pleasure to God, and accustom the people to alms.
- 56. And we enjoin, that the priests sing psalms, when they distribute the alms; and that they earnestly desire the poor to pray for the people.
- 57. And we enjoin, that priests guard themselves against drunkenness, and diligently reprehend it in other men.
- 58. And we enjoin, that no priest be an ale-'scop,' nor in any wise act the gleeman, with himself, or with other men; but be, as becomes his order, wise and reverend.
- 59. And we enjoin, that priests carefully guard themselves against oaths, and also strictly forbid them.
- 60. And we enjoin, that no priest love over much the presence of women, but love his lawful spouse, that is, his church.

and it is right, that this be admonished at Easter, a second time at Rogation days, a third time at midsummer, when most people are assembled.

All Saints' mass;

and light-scot thrice a year, first on Easter eve, and a second time at candlemass eve, a third time on the eve of All Saints' mass.

and it is right, that one part be delivered to the priests, a second

part for the need of the church, a third part for the poor.

And it is right, if a minister of the altar direct his own life by the instruction of books, then be he worthy of full thaneship, both in life and in the grave: if he misdirect his life, let his dignity wane, according as the deed may be; let him know, if he will, that neither women nor temporal warfare are befitting him, if he will rightly obey God, and rightly observe God's law.

Dunstan decided, that a mass-priest, if he had a wife, was entitled to no other 'lad' than belonged to a layman of equal birth, if he

were charged with an accusation.

And it is right, if a minister of the altar conduct himself rightly, then be he entitled to full 'wer' and worship.

LXI. And pe lienad. I senig preort ne rtande on learne gentnerre ne peora gentna beo:

LXII. And pe læpað j ppeopt biræce 1 opdel ærne ne zeæðe:

LXIII. And pe léspad. I ppeope pid bezn ne ladize buton bezner rop-ade:

LXIV. And pe læpað þ ppeort ne beo hunta ne harecepene tærlepe- ac pleze on hir bocum ppa hir hade zebipað: 2

LXV. And pe lépade p ælc ppeorta repire y bébbôte téccepam pe him andette. y eac to bôte rilrte. y reoce men hurligeponne heom pearr ri. y hi eac rmenize. zir hi pær zýnnan. y ærten rond-ride zeonne behpeorre. y ne zeparize æniz unnit æt pam lice. ac hit mid Iroder eze pirlice bebinge:

Lxvi. And pe læpað. Þ ppeorta zehpilc æzðen hæbbe. ze rulluht-ele. ze réocum rmýpelr. y seác zeapa rí tó rolcer zepihtum. y chirtendóm ripðpize zeopne on æzhpilce píran. y æzðen dó. ze pel bódize. ze pel býrnize. Þonne zeleánað him Þ Ælmihtiz Lod. rpa him leórort bið:

LXVII. 4And pe liepad. p ælc ppeort pite to cypanne. ponne he cpirman recce. hpæt he on zebedum rop cynze y bircope zedon hæbbe:

3 ส

¹ opbol

² Se canon jező zýf hpýlc zehábob man on huntað fápe zýf hit bið clepec fonzá xxxx monað flærc biacon tpa zeap mæffe-ppeoft ppeo bifceop vvii j zýf hpýlc bifceop oððe mæffe-ppeoft oððe æniz zehábob man hine fýlfne pæblice ofenbjunce oððe þæf zefpice oððe hif háber polize. add.

V X. omit.

a This interpretation is purely conjectural: that 'biráce' may be an adjective, signifying *litigious*, disputable, appears from the only place where I have elsewhere met with the word, viz. Const. VII., where it is said: 'Ano zir pæn hpæt birácer ry reme re bircop.' And if there be any thing disputable, let the bishop settle it.' That

259

- 61. And we enjoin, that no priest stand as a false witness, or be a confident of thieves.
- 62. And we enjoin, that a priest engaged in litigation never be juror in an ordeal.
- 63. And we enjoin, that no priest clear himself towards a thane, without the thane's 'fore-oath.'
- 64. And we enjoin, that a priest be not a hunter, nor a hawker, nor a dicer, but apply to his books, as becomes his order.
- 65. And we enjoin, that every priest shrive and prescribe penance to those who confess to him; and also assist in the penance; and give housel to the sick, when they need it; give them unction also, if they desire it; and, after death, carefully order, and allow not any absurdity with the corpse, but, with fear of God, bury it wisely.
- 66. And we enjoin, that every priest have both baptismal oil, and unction for the sick, and also be prompt for the people's rights, and diligently promote Christianity in every wise; and do both well preach and well practise: then will Almighty God reward him for it, as shall be most agreeable to him.
- 67. And we enjoin, that every priest be able to declare, bwhen he fetches chrism, what he has done in prayers for king and bishop.

The canon says: If any man in orders go a hunting, if he be a clerk, let him forego flesh for xII. months; a deacon two years; a mass-priest three; a bishop vII.; and if any bishop, or mass-priest, or any man in orders habitually overdrink himself, let him either desist, or forfeit his order.

the text is corrupt, is rendered less probable from the concurrence of both MSS., which have obviously not been copied from a common source.

b That is, from the residence of the bishop, in the city. See Capit. Regum Franc. lib. i. c. 93. Canciani, tom. iii. p. 159, et passim.

*DE CONFESSIONE.

Incipit Ordo Confessionis Sancti Hieronimi, qualiter confiteri debeat Christianus peccata sua.

Quando aliquis voluerit confessionem facere peccatorum suorum, viriliter agat, et non erubescat confiteri scelera et facinora se accusando; quia inde venit indulgentia, et quia sine confessione nulla est venia; confessio enim sanat, confessio justificat, confessio veniam peccatis donat.

Imprimis igitur prosternat se humiliter in conspectu Dei, super terram, adoratione, et lacrimas fundens; roget beatam Mariam, cum sanctis angelis, et sanctis apostolis, et martyribus,

- 1. Đæτ rceal zepencan repe bið manna rápla læce y heona bæba zepíta β zebál y β zerceáb hú he mannum heona bæba zerchíre y hi þeáh-hpæðene ne rondéme ne hiz sommóde ne zebő:
- 11. Donne re man him hir mirbæba anbettan pille zehýne him æpert zehilbelice hú hir pire zepáb rí. Inr he pille y cunne eabmoblice hir bæba anbettan y þú onzite þ him hir rynna hpeopen læp hine lúrlice y milbheoptlice:
- meagan acra hine hip pipena y acped him ha ziltar armeagan acra hine hip pipena y atped him ha ziltar üt y arec hip beda y zehenc hu h h u ne pcealt nærne zehice deman ham pican y ham heanan ham preon y ham heopan ham eadmodan y ham zeonzan ham halan y ham unhalan ham eadmodan y ham orenmodan ham repanzan y ham unmazan ham zehadodum y ham læpedum:
- iv. Elce dæde rceal zerceadyir dema pirlice torceadan. hu heo zedon ri. y hpæn obbe hpænne. Nir on ænizne timan unniht alfred. y heah man rceal rheolr-tidan y rærten-tidan. y on rheolr-rtopan eac rpa. zeonnlicort beonzan. And a rpa

¹ Exaudi queso, Domine, supplicum preces clamantium ad te, queso, Domine. *D. add.*2 he *N. Bx.* hi *D.*3 oppene *D.*4 mirbééba *D.*

* B ?

et confessoribus, et virginibus, et omnibus electis Dei, ut ipsi intercedant *p se ad Dominum, ut Deus Omnipotens dignetur ei dare sapientiam perfectam, et veram intellegentiam ad confitendum peccata sua: Christe audi nos; Sancta Maria, omnes Sancti, orate, et rel. Post hec autem cum fiducia surgens, confiteatur pœnitens credulitatem suam, dicens: Credo in unum Deum, et rel.

Et post hec incipiat confessionem suam coram Deo, et coram sacerdote, confitens peccata sua. Sequitur oratio: Oremus: Preveniat hunc famulum tuum N. quæso, Domine, misericordia tua, ut omnes iniquitates ejus celeri indulgentia deleantur, per Jesum Christum. Dominum nostrum. Amen.

^{1.} He who is the physician of men's souls, and the confident of their deeds, must consider this distinction and this difference;—how he shall shrive their deeds, and yet not condemn them, nor make them despairing.

^{2.} When the man wishes to confess to him his misdeeds, first hear him patiently, how his conduct be regulated. If he will and can humbly confess his deeds, and thou feel sensible that he repents of his sins, teach him kindly and tenderly.

^{3.} If he cannot confess his deeds, and meditate on his sins, question him regarding his ways; and extort his sins from him, and inquire into his deeds: and bear thou in mind, that thou art never to adjudge the same to the powerful, and to the lowly; to the free, and to the slave; to the old, and to the young; to the hale, and to the sickly; to the humble, and to the proud; to the strong, and to the feeble; to those in orders, and to laymen.

^{4.} In every deed, a discreet judge shall wisely distinguish, how it be done, and where, or when. At no time is wrong allowed, and yet one ought on festival-tides, and fast-tides, and in festive places also, most earnestly to be guarded. And

^a The Latin preamble is from Bx.; the text is from N., collated with C., D., and Bx.

man bið mihtigna obbe manan haðer rpa he rceal δεόρρομ ron Iode. 4 ron ponide unnihe zebetan. rondam de re maza 4 re unmaza. ne mazon na zelice bypoene ahebban. ne re unhala þam halum zelíce. 4 þý man rceal medemian 4 zerceadlíce τόγceadan ylde y χεόχυδε· pelan y pædlan· hále y unhále· y hada zehpilene. And zir hpa hpæt unzepealder mirded ne bið þ ná zelíc þam þe piller y zepealder rylr-piller mirdeð. y eac repe nýo-pỳphca bið þær þe he mirbeð. he bið zebeonzer 4 be becenan bomer rymle pyněe. be he nýb-pynhca pær bær be he ponhte. Elce bæde tórceade man pænlice ron Lode 4 ron poplde:

- v. Ercen pirum anire eadmodice to hir repirte. 4 chege ponne sepert. Ic zelýre on Dpihten heáh-ræden ealpa þinga pealdend. y on bone Sunu. y on bone Dalgan Larc. y 10 zelýre το lîre ærten δεάδε· γ 10 zelýre το ápírenne on δόmer δæχε· y eal þir ic χείγε þuph Loder mægen y hir miltre to zepeoponne:
- vi. And cpede ponne mid hpeoprizendum mode. y eadmodlice. hir andernerra to hir repirte. onbugende eadmoblice. 4 bur cpede. Ic andette Elmihtizum Iode. 4 minum repurte pam zartlican læce. ealle pa rynna pe me ærne punh apinzede zartar on-bermitene pundon. obbe on dede. obbe on zebohte. obbe pið pæpman. obbe pið pirman. obbe pið ænige gerceart. zecynbelicna rynna. obbe unzecynbelicna:
- vii. Ic andette girennerre seter y bnencer je sen-tibe je oren-tibe. Ic andette ælce zitrunga. 4 ærert. 4 tælnerra. y tpi-ppp&cnegra. leagunza. y unpiht zilp. y idel popd. y unpiht cýrta. y ælcne zlænzc þe tó miner lichaman unpæbe ærne belimpe. Ic andette þic pær tó ort rýnna pýnhta. j rýnna zepara. y rýnna zepíca. y rýnna laneóp:

viii. Ic andette miner moder mondon y mæne adar y unribbe. y orenmóbiznerre. neceleárnerra Lober bebóba. Ic andette eal \$ 10 æfne mid eagum zereah to zitrunge. obbe

always, as a man is mightier, or of higher degree, so shall he the more deeply amend wrong, before God, and before the world; because the powerful and the feeble may not lift a like burthen, nor the sickly a like one with the hale: and, therefore, we must moderate, and discreetly distinguish between age and youth, wealthy and poor, hale and sickly, and every degree. And if any one do aught amiss unwilfully, that is not like to him who willingly and wilfully doeth amiss of his own accord. And also he, who is an unwilling agent in that which he misdoeth, is always worthy of protection, and of the milder sentence; because he was an unwilling doer of what he did. Let every deed be cautiously distinguished before God and before the world.

- 5. After this let him arise humbly to his confessor, and then say, first: I believe in the Lord, the heavenly Father, Ruler of all things; and in the Son; and in the Holy Ghost; and I believe in life after death; and I believe to arise on doomsday; and all this I believe to take place through God's power and mercy.
- 6. And let him say then, with penitent mind, and humbly, his confessions to his confessor, humbly bending; and thus let him say: I confess to Almighty God, and to my confessor, the spiritual leech, all the sins by which, through cursed spirits, I have ever been defiled, either in deed or in thought, or with man or with woman, or with any creature, sins natural or unnatural.
- 7. I confess greediness in eating and drink, both before time, and after time. I confess all the cravings, and envy, and calumnies, and deceits, leasings, and unjust vaunt, and idle speech, and unjust quarrels, and every pomp, that have ever been to my body's prejudice. I confess, that I have been too often a worker of sins, and an approver of sins, and a confident of sins, and a teacher of sins.
- 8. I confess my mind's deadly sins, and perjuries, and enmity, and pride, [and] recklessness of God's commandments. I confess all that I have ever seen in covetousness, or in disparage-

to telnerge oppe mid equum to unnytte zehynde oppe mid minum mude to unnytte zecpæð:

ix. Ic anbette be ealler miner lichaman rýnna. pop pely pop plærc. y pop ban. y pop rinupan. y pop æddpan. y pop gpirlan. y pop tungan. y pop pelepar. y pop goman. y pop teð. y pop peax. y pop meaph. y pop æghpæt hnercer obbe heapber. pæter obbe dpiger. Ic anbette b ic min pulluht pypr geheold bonne ic minum Dpihtene behéte. y minne had be ic reolde Gode y hir halgum to lope healdan. y me rýlpum to écepe hæle. ic hæbbe unmedumlice gehealden. Ic anbette b ic mine tid-rangar opt agælde. y ic ppop mæne aðar minpa hlafopda lipe. y miner Dpihtener naman ic nemnode on idelnerre:

x. Caller ic bibbe miner Drihtener ropzirnerre f me nærre beorol on-artælan ne mære f ic buton anbetnerre y betnerre beo minna rynna. rpa ic to-bære ealle anbette mine rcylba beropan Drihtene Dælenbum Epirte re pealbab heoronar y eonban y beropan birrum halgan peorode y birum peliquium y beropan minum rchirte y Drihtener mærre-preorte y eom on clænne y on rôbne anbetnerre y on rôban pillan to gebetenne ealle mine rynna y ert rpilcer gerpican bær þe ic ærne mære:

xi. And bu Delend Epirt ji miltjigende minne japle. y popgirende. y adolgende mine rynna. y mine zyltar. be ic jid obbe ep erpe gerpemode. y zelede me to binum uplican pice. b ic môte hap punian mid binum halgum y zecôpenum. buton ende. on écnerre. Nú ic bidde he eadmodlice Dpihtener jacend. b hú jí me to zepitnerre on dômer dæze. b he deopol ne mæze on me anpeald agan. y b hú to Dpihtene beo min hingene. b ic môte mine rynna y mine zyltar zebétan. y odper rpilcer zerpican. to hon me zepultumize re Dpihten. jehe leopad y pixad a buton ende. on écnerre. Amen:

ment, with my eyes, or uselessly heard with my ears, or uselessly spoken with my mouth.

- 9. I confess to thee all the sins of my body, of skin, and of flesh, and of bones, and of sinews, and of veins, and of gristles, and of tongue, and of lips, and of gums, and of teeth, and of hair, and of marrow, and of every thing soft or hard, wet or dry. I confess that I have kept my baptism worse than I promised to my Lord; and my condition, which I ought to have holden to the praise of God and his Saints, and to my own eternal salvation, I have unworthily holden. I confess that I have often neglected my canonical hours; and I have sworn false oaths by the life of my lords; and my Lord's name I have named in vain.
- 10. For all I pray my Lord's forgiveness, that the devil may never steal upon me, so that I am without confession and amendment of my sins; as I to-day confess all my crimes before the Lord Saviour Christ, who ruleth the heavens and earth, and before this holy altar, and these relics, and before my confessor, and the Lord's mass-priest, and am in pure and true confession, and in good will to atone for all my sins, and afterwards to eschew them as much as I ever can.
- 11. And thou, Saviour Christ, be merciful and forgiving to my soul, and blot out my sins and my crimes, that, late or early, I have ever perpetrated; and lead me to thy realm on high, that I may there dwell with thy saints and chosen ones, without end, to eternity. Now I humbly pray thee, priest of the Lord, that thou be my witness on doomsday, that the devil may not have power over me; and that thou be my mediator with the Lord; that I may atone for my sins and crimes, and eschew others such, so that the Lord may sustain me, who liveth and reigneth ever without end, to eternity. Amen.

*MODUS IMPONENDI PŒNITENTIAM.

- 1. b Đấp þeápar man healt bezeondan ræ. Þ 17. Þ ælc bircop bið æt hir bircop-rtôle on þone Podner-dæz þe pe hátað capud ieiuni. Þonne ælc þápa manna þe mið heárod-leahtne bermiten bið on þæpe rcîpe. rceal þonne him tó-cuman on dæz. y hir rýnna him zecýþan. y he þonne tæceð him dæddóte. ælcum be zýlter mæðe. Þa þe þær pýnðe beoð. he árýndpað or cipiclícan zemánan. y hí þeah tó heona ázenne þeapre hýnteð y tihteð. y hí rpa þonne be hir leare hám hpýnrað:
- ii. ^bAnd ert on hone Dunner-dæz sen Carthon to hane ylcan rtope ealle zerommað y him honne re bircop oren-ringeð y abrolutionem deð y hi rpa ham hpynrað mid hær bircoper bletrunge rihhan. Dir ir hur to healdenne eallum crurtenum rolce:
- 111. b And þeah-hpæðene rceal re racend zeonnlice rmeazanmid hpýlcene onbnýndnerre- y mid hpýlcene rulrnemednerrere dæddéta zedét hædde- h him zetæht pær- y rpa him be ham ronzirennerre don:/
- iv. 'Lif læpede man obenne ôfflihb. buton zýlte. fæfte
 vii. zeap. .iii. on hlâfe y on pætepe. y þa .iiii. fpa hif
 fchift him tæce. y æftep þápa .vii. zeapa bôte. æfne he
 zeopnlíce behpeôpfize hif mifdæda. be þam bæle þe he mæzepopþan him if uncuð hú andrenze hif bôt pæpe mið Lode:.
- v. Sepe obenne ôrrlean pille. I ne mæz hir pillan rullice punh-teôn. rærte ·iii. zean. an on hlare I on pætene. I tpa rpa hir renirt him tæce:
- vi. ° Irit læpede man neadunza man rlihde rærte eine geare an on hlare y on pætene y tpa rpa hir repirt him tæce y behnedyrize hir mirdæda ærne:
- vii. c Lip hit big lip-piacou. Emlic lix geau. Zih hit peo piacou. Emlic leolou Zeau. Zih hit peo mmlle-bleolit. Emlic ex. Zeau. A pilcob. xii. A begalize mlle ex.

^{*} The text is from C. and D.

- 1. Hæ consuetudines trans mare observantur; id est, quod quilibet episcopus sit in sede episcopali sua die Mercurii, quem caput jejunii vocamus: tunc unusquisque eorum hominum, qui capitalibus criminibus polluti sunt, in provincia ista, eo die ad illum accedere debet, et peccata sua illi profiteri; et ille tum præscribit eis pœnitentiam, cuique pro ratione delicti sui; eos, qui eo digni sunt, ab ecclesiastica communitate segregat, et tamen ad propriam eorum necessitatem animat et hortatur; et ita postea cum illius venia, domum redeunt.
- 2. Et iterum, die Jovis ante Pascha, ad eundem locum omnes congregantur, et tunc episcopus super eos cantat, et [eis] remissionem dat, et ita domum redeunt cum episcopi benedictione. Hoc ita observandum est omni populo Christiano.
- 3. Et nibilominus sacerdoti diligenter perscrutandum est, quanam compunctione, et quanam perfectione pœnitens emendaverit id quod ei præscriptum erat; et ita ei juxta illud remissionem det.
- 4. Laicus qui alium sine culpa occiderit, vII. annos jejunet, III. in pane et aqua, et IIII. prout confessarius ejus ei præscripserit; et post illorum vII. annorum emendationem, usque delictorum suorum diligenter eum pœniteat, quantum possit; quoniam ei incognitum est, quam acceptabilis sit emendatio ejus apud Deum.
- 5. Qui cupiverit alium occidere, et voluntatem suam plene exsequi non potuerit, III. annos jejunet, unum in pane et aqua, et duos prout confessarius ejus ei præscripserit.
- 6. Si laicus invite hominem occiderit, 111. annos jejunet, unum in pane et aqua, et duos prout confessarius ejus ei præscripserit, et eum delictorum suorum usque pæniteat.
- 7. Si subdiaconus sit, sex annos jejunet; si diaconus sit, septem annos jejunet; si presbyter sit, x. annos; et episcopus xII., et usque pœniteat.

[⊌] Ecg. P. I. 12.

vIII. * Lir hpa hir cild orrliho to deade unxepealder rærte •v• reap• •111• on hlare 4 on pætene• ut ruppa:

1x. a Lif bircop obbe mærre-preort man rliho. bolize hir haber. 4 béte zeonne ærne:

x. b Lir pir hine cild ronmynonize innan hine. obbe ribban hit rope-cume. mid dræncum obbe mid mirlicum bingum. rærte ·x · zean · · · · · · on hlare y on pætene · y þa · v · · rpa hine repirt hipe milbheontlice tece. 4 ærne hit beneoprize:

xi. Chr hpá hir æht orrlihð buton gylte- ron hir hátheoptnerre rærte ·III. zeap:/

xii. d Lif pir hipe pirman rpingo rop hpilcum lionum andan. 4 heő on ham bið deád. 4 heő beő unrcyldiz. rærte .vii. zean. 4 zir heó beó rcyldiz rærte ·III. zean. 4 beneóprize hine mirdéda ærne:

xIII. 'Inr man hine rylrne zepealder orrliho mid pæpne. obbe mid hpilcum deorler onbnincze. nir hit na alyred b man ron rpilcne man mærran ringe. ne mid ænizum realm-range b lic eonoan berærte. ne on clénan lezene ne licze bebinzeo. pone ilcan bom man rceal bon bam be rop hir zýlta pinunze. hir lir alec. b bio teor. 4 mono-pynha. 4 hlarond-rpica:"

xiv. f Lif hpa hine mid nytenu bermited obbe pæpned-man piổ oðenne. gir he bið .xx. pintpa. rærte .xv. pinten. 4 gir re man hir zemæccan hæbbe. 4 he beó .xl. pintpa 4 rpilce binge bezæð. zerpice. y rærte þa hpile þe hir lir beó. y ne zeppirtlece p he Dpihtener lichaman underro en hir endetiman. Geonge men y andzitleare man reeal beaule rpingan. be rpilce binge begæð:

xv. 88e man b sepe bnyco rærte vii zean · iii bazar on pucan on hlare 4 on pætene. Ti hit pir. Ti hit pen:/

xvi. 18ebe hir æpe roplæt. 4 nimð oðen pir. he bið æp-

 $^{1\prime}$ býpzene C.

a' Ecg. P. II. 1.

c/ Ib. II. 3.

ы *Ib*. II. 2. d/ 13. II. 4.

- 8. Si quis infantem suum præter voluntatem interfecerit, v. annos jejunet, 111. in pane et aqua, ut supra.
- 9. Si episcopus vel presbyter hominem occiderit, ordinem suum perdat, et usque diligenter emendet.
- 10. Si mulier infantem suum intra se perdiderit, vel postquam natus sit, potibus vel quibuscunque rebus, x. annos jejunet, 111. in pane et aqua, et v11. prout confessarius ejus misericorditer ei præscripserit, et usque pæniteat.
- 11. Si quis servum suum, sine culpa, occiderit, pro furore suo 111. annos jejunet.
- 12. Si mulier ancillam suam flagellis verberaverit, ex prava aliqua invidia, et ex illa verberatione moriatur, et innocens sit, [domina] vII. annos jejunet; si autem nocens fuerit, III. annos jejunet, et delictorum suorum usque pæniteat.
- 13. Si quis sponte seipsum occiderit armis, vel quacunque diaboli instigatione, non est permissum, ut pro tali homine missa cantetur, vel cum aliquo psalmorum cantu corpus terræ committatur, vel in mundo cemeterio jaceat sepultum. Idem judicium adjudicandum est ei qui, in criminum suorum cruciatum, vitam suam deposuerit; id est, furi, sicario, et domini proditori.
- 14. Si quis se cum bestiis polluit, vel vir cum alio, si xx. annorum sit, xv. annos jejunet: et si vir conjugem suam habeat, et xL. annorum sit, et res tales committat, cesset, et jejunet quamdiu vivet, neque audeat corpus Domini accipere, ante diem suum extremum. Juvenes et insipientes fortiter flagellandi sunt, qui tales res commiserint.
- 15. Homo qui adulterat, vii. annos jejunet, iii. dies per hebdomadam in pane et aqua; sit vir, sit mulier.
 - 16. Qui legitimam suam uxorem deseruerit, et aliam

² 2	geb ý n rclæc e	C
----------------	-------------------------------	---

[✓] Ib. II. 5.✓ Ib. II. 7.

bnýca ne rýlle him man nán þána zenihta þe cjurtenum mannum zebýpeð ne ron beáðe ne ron líre ne hine man ne lecze mið cjurtenum mannum y be píre ealrpa y þa mazar þe æt þam bihte pænon þolian þone ýlcan bóm buton hí æn zecýpnan pillan y zeonne zebétan:

xvii. * Sebe hærð æpe- y eac cyrere- ne do him nan preort nane zerihta mid crirtenum mannum- buton he to bote zecyrre- ac beo him on anne zehealden- beo hit æpe- beo hit cyrer:

xvIII. bIng ceopl pið oðner piht æpe hæmð. oþþe pig pið oðner piger piht gemæccan. gærte .vII. gean. þa .III. on hlage y on pætene. y þa .IIII. ppa hig gengt him tæce. y behneóppige hig mirþæða ægne:/

xix. 'Inf hpilc pif tpegen zebpoon nimo hipe to zemæccan. odenne æfter odnum. todo man hi. y beon hi on dædbote zeopne. ha hpile he hi libban. ppa heona rchit heom tæce. y æt heona ropo-ride do re racend heom ha zepihta. ppa men chiftenum mannum ded. zir hi h zehatad. h hiz lenze betan poldan. zir hi lenze libban mortan:

xx. ° Ir phá on rpilcum manrullum rinrcipe puphpunað oð hir lírer ende- buton ælcene zerpicenerre- ne cunne pe him nænne pæd zehencan- buton hit ir æt Iroder dóme *lezepe add.? zelanz-' ne he to clænan* ne mót:

xxi. ^dIrp hpilc pîp bepeddod pî· nip hit na alŷped þ hpilc oðen man hine þær bepearize· zip hit hpa do· beo he aman-pumod: '

xxII. EIIF hpa mid hir orenchærtes pir obbe mæden neabinga nimd to unpiht-hæmedes hipe unpillers bed he amanrumod:

xxIII. Inf hpa mid hir lotppæncum. objer manner rolzene fram him apæce. for hæmed-hinge. I hipe unpiller pid hi hæme. zir he bid zehadod man. holize hir hader. zir he bed læpede. bed he amanrumod fram eallum chirtenum hinzum: mulierem ceperit, adulter est, ne detur ei ullus eorum rituum, qui Christianum hominem decent, neque in mortis articulo, nec per vitam, nec ponatur cum Christianis hominibus. Et de muliere similiter. Et cognati, qui illi consilio interfuerint, patiantur eandem sententiam, nisi prius ad emendationem se convertere, et diligenter emendare velint.

- 17. Ei qui legitimam uxorem et etiam concubinam habet, ne det ullus presbyter ritus ullos cum Christianis hominibus, nisi ad emendationem se converterit: sit ei cum una manendum, sit uxor, sit concubina.
- 18. Si maritus cum alterius legitima uxore adulteraverit, vel mulier cum alterius legitima conjuge, vii. annos jejunet, iii. in pane et aqua, et iiii. prout confessarius ejus ei præscripserit, et delictorum suorum usque pæniteat.
- 19. Si mulier aliqua duos fratres, unum post alterum, in conjugium sibi ceperit, separentur, et sint diligenter in pœnitentia quamdiu vivent, prout confessarius eorum eis præscripserit; et obeuntibus illis, faciat eis sacerdos ritus, sicut hominibus Christianis faciendum est, si promittant, diutius se emendaturos, si sibi diutius vivere liceret.
- 20. Si quis in tali nefando conjugio permanserit usque ad vitæ suæ finem, sine ulla resipiscentia, non possumus ei aliquod consilium excogitare, sed Dei judicio est relinquendum; nec mundo [sepulcro] committatur.
- 21. Si mulier aliqua [viro] desponsata sit, non est permissum ut aliquis alius vir illam ei auferat; si fecerit hoc quis, excommunicetur.
- 22. Si quis per fraudem mulierem aut puellam invitam ceperit ad fornicationem, excommunicetur.
- 23. Si quis versutiis suis alius hominis pedisequam ab eo, fornicationis causa, allexerit, et cum ea invita coeat, si ordinatus homo sit, perdat ordinem suum; si sit laicus, ab omnibus rebus Christianis excommunicetur.

xxiv. * Gif hpile mæden bepeddod bið. y unden þam bið gehengod. oþþe mið rumon intingon afýnneð pýnð fnam þam þe heð bepeddod pær. y hit eft gelimpe þ heð on neaperte becume. be leafe hi móton tó-gædene. fonbam heð pær hine unpiller fnam him:

xxv. bIng pîgman zehâdod bið. y heð giþþan tó popldígne íðelnegge zecýppeð. y híppædene undepgehð. y þencð þ heð mið hipe æhtan zebête. þ heð Irode ábealh. nig þ naht. ac poplæte þone ginggipe. y zecýppe to Epigte. y libbe hipe líg gpa hipe gciptt tæce. y bête þa migdæda ægpe gpiðe zeopne:/

xxvi. ° Inf mæffe-pheoft obbe munuc man offlea bolige hir haber y fæfte xx geap vv on hlafe y on pætepe y fif bpeo bagar on pucan y ba obpe bpuce hir meter y behneopfize hir mirbæba æffe.' dDiacon vvii on hlafe y on pætepe y ba obje ut ruppa.' ° Ilepic vvi geap viii on hlafe y on pætepe y on pætepe vi geap viii on hlafe y on pætepe ut ruppa:'

xxvII. Ing hpa zehadodne man glea. obbe hig azenne nihgtan mæz. goplæte hig eand y hig sehta. y do him gpa ge papa piggize. y higeoprize ægne:

xxvIII. Lif mæffe-pheoft. obbe munuc. hæmed-binge phiho. obbe æpe-blice. fæfte x. zeah. I hheoprize æffe. siacon vIII. clepic vII. læpede man v. rpa be man-rlihte:

xxix. 'Lif mærre-pheort. obbe munuc. obbe diacon. piht pir hærde. En he zehadod pæne. y hi roplete. y to hade rencze. y ribban bunh hæmed-binze hi ert unden-renze. rærte heona æle rpa be man-rlihte. y hpeoprian 'rpide:'

xxx. Lift mærre-preoft. obbe munuc. obbe diacon. obbe clepic. obbe læpede. pið mýnecenu hæme. rærte ælc rpa hir

^{1 .}viii. D.

[&]quot; Ecg. P. II. 15.

c/ 1b. IV. 2.

[₩] Ib. II. 16.

d Ib. IV. 3.

- 24. Si puella aliqua desponsata sit, et interea in captivitatem ducta fuerit, vel causa aliqua ab eo abrepta, cui desponsata erat, et postea acciderit, ut alter in alterius viciniam veniat, cum venia conjungi possunt, quia ab eo invita aberat.
- 25. Si mulier ordinata fuerit, et deinde ad mundanam vanitatem reversa fuerit, et familiam susceperit, et cogitet possessionibus suis id emendare quo Deum irritaverit, id nihili est; sed conjugium illud relinquat, et ad Christum revertatur, et suam vitam vivat prout confessarius ejus præscripserit, et valde diligenter delicta sua usque emendet.
- 26. Si presbyter vel monachus hominem occiderit, perdat ordinem suum, et x. annos jejunet; v. in pane et aqua, et quinque, tribus diebus per hebdomadam, et reliquis fruatur cibo suo, et usque eum delictorum suorum pœniteat. Diaconus vii. in pane et aqua, et reliquis, ut supra. Clericus vi. annos, iii. in pane et aqua. Laicus v. annos, iii. in pane et aqua, ut supra.
- 27. Si quis ordinatum hominem occiderit, vel proximum suum proprium, discedat a patria sua, et a possessionibus suis, et ita faciat ut papa ei indicaverit, et usque pœniteat.
- 28. Si presbyter vel monachus fornicationem commiserit, vel adulteraverit, x. annos jejunet, et usque pœniteat; diaconus vn.; clericus vi.; laicus v. ut pro homicidio.
- 29. Si presbyter, vel monachus, vel diaconus legitimam uxorem habuisset, antequam ordinatus esset, et eam dereliquerit, et ordinem susceperit, et postea in fornicatione eam receperit, jejunet unusquisque eorum ut pro homicidio, et valde pœniteat.
- 30. Si presbyter, vel monachus, vel diaconus, vel clericus, vel laicus cum monacha fornicatus fuerit, unusquisque jejunet

² æŗņe. <i>C</i> .				
✓ <i>Ib.</i> 1V. 4. ✓ <i>Ib.</i> 1V. 7.	^g Ib. IV. 5. ^g Ib. IV. 8.	v 1b. IV. 6. □ 1b. IV. 9.		
VOL. 11.	7 10. 1V. 8. T	- 10. 1V. 9.		

274 CANONS ENACTED UNDER K. EDGAR.

hade to-zebipize. rpa be maii-rlihte. I ærne he rceal rlære rongan. I reo mynecenu .x. zeap. rpa rpa mærre-ppeort. I hpeoprian ærne:

xxxi. *Lir hpa polòe hæman pið mynecenu y heð nolòe pærte 11 zean pon þam unnihtan pillan on hlare y on pætene:/

xxxII. Lif hpa polde hæman pið oðner niht-æpe. y heó nolde. rærte ·III. lengttenu on hlare y on pætene. an on rumena. oðen on hænrerta. þniðde on pýntha:

xxxIII. 'In hoa pille pið pirman unpihtlice hæman rærte .xL. daga on hlare y on pætepe:'

xxxiv. ⁴ Lip hpá obepne æt hij déhten neárað béte pið þa pnýnd y pærte heona ægben 11 gean on Podner-dæg y on Fnige-dæg y on obnan dagan bnucan heona meter buton plærce y nime hi tó niht æpe:/

xxxv. °G:: hpā pið nýtenu hæme pærte xv zeap viii on hläre y on pætepe y þa vii ælce zeape viii xL daga y on Podner-dæz y on Fpize-dæz þa hpile þe he libbe y hpeoprize ærne þa mirdæde:/

xxxvi. 'Inf hpå hine fylfne bermite hir äzenner piller pærte •111 · geap · on ælcon ·111 · xL · daga on hläre 4 on pætepæ4 ropgå flære ælce dæge · buton Sunnan-dæge: '

xxxvII. Lif has ogehne mis diccechæere kologo fæere om sean om plate a on bærehe a precenera ækher.

xxxvIII. h Lif hpá dpíre rtacan on man pærte ·III. geap án on hláre y on pætepe. y þa ·II. ·III. dagar on pucan on hláre y on pætepe. y gir re man rop þæpe rtacunge deád bið. þonne rærte he ·VII. geap. rpa hit æp ápputen ir. y hpædprige hir mirdæda ærne:

exxix. The hoa piccize ymbe object lure y him rylle on sete obje on dience obje on zaldon-chærtum zir hit bed

[✓] Beg. P. IV. 10.

[₩] *Ib*. IV. 11.

*J I*I. 1V. 12.

⁴ Ib. IV. 13.

prout ordini suo convenit, ut pro homicidio. Et monacha x. annos jejunet, uti presbyter, et usque pœniteat.

- 31. Si quis cum monacha fornicari vellet, et illa nollet, annum 1., pro prava illa cupidine, in pane et aqua jejunet.
- 32. Si quis cum alterius legitima uxore fornicari vellet, et illa nollet, III. quadragesimas in pane et aqua jejunet, unam in æstate, alteram in autumno, tertiam in hieme.
- 33. Si quis cum muliere illicite fornicari voluerit, xL. dies in pane et aqua jejunet.
- 34. Si quis alterum filia sua spoliaverit, emendet erga amicos, et uterque eorum annum 1. jejunet, die Mercurii, et die Veneris, et reliquis diebus fruantur cibo suo, excepta carne, et ducat eam in uxorem legitimam.
- 35. Si quis cum bestiis coeat, xv. annos jejunet, vIII. in pane et aqua, et vII. quoque anno III. xL. dies, et die Mercurii et die Veneris quamdiu vivet, et delicti usque pœniteat.
- 36. Si quis seipsum sua sponte polluerit, III. annos jejunet; in singulis III. xL. dies in pane et aqua, et quotidie abstineat se a carne, die Dominico excepto.
- 37. Si quis alterum veneficio perdiderit, vii. annos jejunet, iii. in pane et aqua, et iiii. annos iii. diebus per hebdomadam in pane et aqua, et usque pœniteat.
- 38. Si quis acus in homine aliquo defixerit, III. annos jejunet, unum in pane et aqua, et II. III. diebus per hebdomadam in pane et aqua; et si homo ex illa punctura mortuus sit, tunc vII. annos jejunet, prout jam scriptum est, et delictorum suorum usque pœniteat.
- 39. Si quis veneficiis utatur, alicujus amoris gratia, et ei in cibo [quid] det, vel in potu, vel per incantationes; si laicus sit,

e' Ib. IV. 14.
h' Ib. IV. 15.
vol. II.

T 2

e' Ib. IV. 16.
e' Ib. IV. 16.

** Ib. IV. 18.

** Ib. IV. 18.

** Ib. IV. 18.

lépede man. pærte healt geap. Podner-dazum y Frize-dazum. on hlare y on pætere. y þa oðre dazar bruce hir meter. buton tlærce. cleric .i. zear ut rupra. .iii. dazar on pucan on hlare y on pætere. y þa .iiii. ælce Frize-dæz on hlare y on pætere. y þa .iiii. ælce Frize-dæz on hlare y on pætere. y þa oðre dazar ronza rlærc..

xl. In hpa fullice on ungecyndelicum bingum ongean Inder zercearte buph Enig bingc hine rylpne bermite behneoprize be erne ba hpile be he libbe be bam be reo ded ri:

xII. * Ir hpá on riépe hir beann orlicze. I hit bead punde. rærte '·III. zean. án on hláre y on pætene. y þa *tpá zean. III. dazar on pucan. y zir hit þunh dnuncen zepunde. béte þe deoppon. rpa hir renirt tæce. y behneoprize hit ærne:.'

xLII. bIs untsum cilo hæðen zepíte. y hit on pheoste zelang rý. þolige hir háðer. y béte hit zeonne. y zir hit þunh speonda zýmeleaste punde. ræste .III. zean. án on hláre y on pætene. y þa tpá zean .III. dazar on pucan. y behneópsian hit æspe:/

**Lepitenne. xliii. 'Iif hpá *cpiftene man on hæðendom fylle. fe ne bið punðe æmigne perte mið cpiftenum folce. butan he gebýcze ert ham ongean þ he út fealde. I gir he þ dón ne mæze. zedæle þ punð eal Ioder þancer. I oðenne alfre mið oðnum punðe. I þæne þonne zerneðze. I þæn-to-eácan béte þneð zean fullice. Tha fra hir fentt him tæce. I gir he feð næbbe. Þ he man mið alfran mæze. he béte þe deoppon. Þ ir .vii. zean fulle. I behneðprize ærne:

xliv. Lif hpá hine rýlfne rpiše foppýnce on mænizfealdan rýnnan. y he æften þam pille zerpícan. y zeopnlíce betanzebúze tó mýnfthe. y þeópize þan æfne Lode y mannum. rpa rpa man him tæce. obbe of eande peallize píde. y dædbôte dó æfne þa hpíle þe he libbe. y helpe hir ráple. obbe hunu on eande be þam deópertan bete. þe he æfne ácuman mæze. rpa rpa man him tæce:

ı	. 11	11.	C.

dimidium anni jejunet, diebus Mercurii et Veneris, in pane et aqua, et reliquis diebus fruatur cibo suo, carne excepta; clericus 1. annum, ut supra, 111. diebus per hebdomadam in pane et aqua; diaconus 111. annos, ut supra; presbyter v. annos, unum in pane et aqua, et 1111. quoque die Veneris in pane et aqua, et reliquis diebus abstineat se a carne.

- 40. Si quis fœde, in rebus naturæ contrariis, contra Dei creaturam, aliquo modo seipsum polluerit, usque pœniteat, quamdiu vivet, secundum quod factum sit.
- 41. Si quis in somno infantem suum oppresserit, et mortuus sit, 111. annos jejunet, unum in pane et aqua, et duos annos 111. diebus per hebdomadam; et si ex ebrietate acciderit, eo gravius emendet, prout confessarius ejus præscripserit, et usque pæniteat.
- 42. Si infans infirmus gentilis mortuus fuerit, et culpa presbyteri acciderit, ordinem suum perdat; et si negligentia amicorum acciderit, III. annos jejunet, unum in pane et aqua, et duos annos III. diebus per hebdomadam, et usque pœniteant.
- '43. Si quis hominem Christianum in regionem gentilem vendiderit, non erit ille dignus requiete ulla cum populo Christiano, nisi eum, quem foris vendiderat, iterum domum redemerit; et si id facere nequeat, totum pretium Dei gratia distribuat, et alium alio pretio redimat, eumque tunc liberet; et præterea tres annos plene emendet, prout confessarius ejus ei præscripserit. Et si pecuniam non habeat, qua aliquem redimat, eo gravius emendet, id est vii. annos plene, et usque pœniteat.
- 44. Si quis seipsum multifariis peccatis valde labefactaverit, et deinde cessare et diligenter emendare velit, in monasterium secedat, ibique continue Deo et hominibus serviat, prout ei præscriptum fuerit; vel a patria longe peregrinetur, et pœnitentiam usque agat, quamdiu vivet, atque animam suam adjuvet; vel saltem, in patria, per gravissimam pœnitentiam, quam unquam perferre possit, prout ei præscriptum fuerit.

· BE DÆDBÉTAN.

- 1. On pirum repirte- bið rpiðe ropð zelanz roprýngoðer manner 'nýð-help- ealrpa on zóðan læce bið reócer manner 'lácnunz:
- 11. Oliplice men ázýltað. opt y unreldon. þuph beorler reýre. y β bið ezerlic β zehádode men rpa rpiðe pið Lod ázýltað. β hí ³heona háð roppýncan:
- III. And han môt tổ bốte ptiblíc bæbbót á þeah be háber y be tylter mæðe ærten canoner bốme y eac hit man mốt récan be hær manner mihtum y be hir mæðe y be hir rylrer heontan hneóprungum rumon gean-bốte rumon mã geana y ert be tylter mæðe rumon monð-bốte rumon mã monða rumon pucu-bốte rumon mã pucena rumon bæz-bốte y rumon mã baga y rumon ealle hir lîr-bagar 4:
- iv. Se læca þe rceal frape punda pel zehælan. he mót habban zóde realre þæptó. Në rýndon nane rpa ýrele punda rpa rýndon rýn-punda. ropham þuph þa roppýnd re man écan deade. buton he þuph andetnerre. y þuph zerpícenerre. y þuph dædbóte zehæleð punde:
- v. Donne mốt re læca beốn pír y pếp. þe þa punda zehéelan rceal. Duph zóde lấpe man rceal épert lú lấcnian. y mið þam zedón. þ man ấrpípe þ attop út. þ him on-innan bið. þ ir. þ he zeclénrize hine rýlrne épert þuph andetnerre 6:.

 $^{^{1}}$ nyo-peapr X. 2 hælo X. 3 X. add.

⁴ Đæp man genyban reeall mirtlice ppeala gebypiað rop rynnumbenbar oððe byntar oððe pollúpar oððe cancenn-þyrtna lobban oððe bælcan j hvilum eac lim-læpa j hvilum lir-lærta: X. add.

⁵ ýrela Y.

⁶ j rýččan mie zerpicennerre. Y. add.

The text is from D., collated with C., X., and Y.

OF PENITENTS.

- 1. On a wise confessor is greatly dependent the needful help to a sinful man, as on a good leech is the healing of a sick man.
- 2. Men sin in various ways, oft and frequently, through the impulse of the devil; and it is terrible that men in holy orders so greatly sin against God, that they forfeit their order.
- 3. And there must be for 'bot' strict penance; though always according to the degree of order and of guilt, according to the canon's doom: and also it must be sought according to the man's abilities, and to his degree, and to the penitence of his own heart: to one a year's 'bot,' to one [a 'bot'] of several years; and again, according to the degree of guilt, to one a month's 'bot,' to one of several months; to one a week's 'bot;' to one of several weeks; to one a day's 'bot,' and to one of several days; and to one all the days of his life.
- 4. The leech who has well to heal sore wounds, must have good salve thereto. There are none such evil wounds as are the wounds of sin; because through them a man perishes in eternal death; except through confession, and through cessation, and through penance he be healed.
- 5. Then must the leech be wise and cautious, who has to heal those wounds. Through good doctrine they are first to be cured, and therewith so treated, that the man vomit the venom out that is within him; that is, that he purify himself first by confession.

Where it be needful, various punishments are proper for sins: bonds, or blows, or 'pollupas,' or prison-darkness, or earth-worms, or swine; and sometimes also mutilation of limbs, and sometimes loss of life.

and afterwards by cessation.

280 CANONS ENACTED UNDER K. EDGAR.

vi. Cal man rceal arpipan rýnna þunh zóbe lane mið andetnerre- ealrpa man unlibban déð þunh zóbne dnenc:

vii. Ne mæz æniz læce pel lacman æp þ attop úte ji ne æniz man eac dædbôte pel tæcan þam þe andettan nele ne æniz man ne mæz rýnna buton andetnejje pel zebétan þe má þe je mæz pel hal pupðan þe unlibban zeðnuncen hæjðbuton he þ attop ppiðe ppipe:

viii. Erten andetnerre man mæz mid bædbûte Ioder mildheontnerre hnade zeeannian. zir he mid inpeandne heontan heôre y p benedprize p he bunh deorler 'rcyre æn zernemode to unnihte:

ix. On pîrum repirte bið eac rpiðe ropð zelanz pîrlîc bæbbór ealrpa on zóbum læce bið þeaprlic bpocer bór y be manner zepýphtum hit man mót récan ærten canoner-bóme y eac medemian be mihtum y be mæðe y be þam þe man onzit hir heoptan hpeóprunze y hir rýlrer zeopnrulnerre:

x. Deoplic déd-bot bit. p lépede man hir pæpna alecze. y pealize bæp-rot pide. y ne beo niht pan obje. y rærte. y ppide pacize. y zebidde zeojne. dæzer y nihter. y pyllen pepize. y rpa ærcæne beo. p sinen ne cume on hæne ne on næzle:

xi. Ne ji he ne cume on peanmum 'bæëe ne on jortum

* del.? bebbe ne jlæjcer ne onbite ne * he æniger junger je djuncen

freque ne he innan cipican ne cume ac jeah halige jtopa
geopnlice jece j hir gýltar cýbe j him jungpædenne bibbe
j he nænigne man ne cýrre ac rýmle ji hir rýnna hpeoprigende rpibe:

xii. Dpeoplice zeræpo rebe hine rýlrne bur ropo ropreýloizao. I zeræliz bio he þeah zir he na ne apacao o he rulbece.

lane Y.

² reocer manner lacnung be- C. add.

³ ipen *C.Y.*

⁴ pærene Y.

- 6. Every man shall vomit up his sins through good doctrine, with confession, exactly as a man doeth poison, through a salutary drink.
- 7. No leech can well cure, ere the venom be out; nor likewise any man well prescribe penitence to him, who will not confess; nor can any man well expiate sins without confession, any more than he can well become whole, who hath drunk poison, unless he vigorously eject the venom.
- 8. After confession, a man may with penitence quickly merit God's mercy: if he groan with inward heart, and that repent which he, through impulse of the devil, previously perpetrated in unrighteousness.
- 9. On a wise confessor, is also greatly dependent a rational repentance; just as on a good leech, is the necessary remedy of disease; and by a man's deeds must it be sought, according to the canon's doom; and also mitigated, according to [a man's] abilities, and degree, and according as any one feels the penitence of his heart, and his own earnestness.
- 10. It is a deep penitence, that a layman lay aside his weapons and travel far barefoot, and nowhere pass a second night, and fast, and watch much, and pray fervently, by day and by night, and voluntarily suffer fatigue, and be so squalid, that iron come not on hair, nor on nail.
- 11. Nor that he come into a warm bath, nor into a soft bed, nor taste flesh, nor anything from which drunkenness may come, nor that he come within a church; but yet diligently seek holy places, and declare his sins, and implore intercession, and kiss no one, but be ever fervently repenting his sins.
- 12. Roughly he fares who thus constantly criminates himself; and yet is he happy, if he never relax, till he make full

a sick man's cure.

poplam ne pund seniz man on poploe rpa rpide poprýnzado þe he pid God zebstan ne mæzeo azinne he hit zeopne:

xIII. Débbota rind zedihte on mirlice piran. y micel man mæz eac mid ælmerran alfran:

xiv. Sebe papa mihta hæbbe. anæne cipican Irobe to lore. y zır hine þan-tó onhazize. rýlle þan land tó. y læte þæn teón zeonze men to. b hap rop hine mazon beopian. 4 heep dezhpamlice Lode mazon benian. 4 zodize eac Loder cypican zehpæn. be ham he hine to-onhazize. 4 zodize rolcer ræn mid bniczum oren deope pætenu. 4 oren rule pezar. 4 dæle Loder pancer geopne p he hæbbe- rpa rong rpa hine rýpmert onhazize. y helpe eanmpa manna zeonne. pudupena. y rceop-ciloa· y ælþeσοιχρα manna· rpeσχe hir ágene þeσpan· y alere æt odpum mannum heopa þeopan to rpeote. y hupu eanme zehenzode men· y réde þeanran· y renýde· y húrize· γ τύριχε· baδιχε γ beδδιχε· him γ him-rylrum το beapre· ézhpan zeonne zebédnædene bezite on mærre-ranzum y on realm-rangum. 4 hine-rylrne on hir Dhihtener ert pheage rpiče peaple mid rophærednerre æter y dpincer. y zepellhpilcer lichamlicer lurter:

xv. And refe zýt honne lærran rpeda hæbbe dó be hir mæde zeonne f he dón mæze teodize on Goder ert eal f he áze y peze hine rýlrne rpa hine optort tó-onhazize y réce mid hir ælmerran cipican zelóme y hálize rtopa mid hir leóhte zeznéte y zir hir húr-hleóp y mete y munde þam þe þær behunre y rýn y roddon y bed y bæð y dó to renúð y rilrte eanmon zir he hpæt mæze:

xvi. Geneorize mid zôbe þa þe beoð rápiz-môde y reôce- y beade bebýpize on Goder erc- y rýlr he on dizlum rtopum zecneopize zelóme- y hine on eopáan rpiðe aðenize- ort y zelóme- y rærte y pacize- y zebidde hine zeopine- dæzer y nihter- ort y zelóme. And reþe zit lærran mihta hæbbe- dó be hir mæðe zeopine p he dón mæze- hupu rpinze hir

¹ pingian Y.

- 'bot;' because no man in the world is so very criminal, that he may not make atonement to God, let him undertake it fervently.
- 13. Penances are devised in various ways, and a man may also redeem much with alms.
- 14. He who has the ability, let him raise a church to the glory of God; and, if he have the means, let him give land thereto; and let young men be drawn thither, who may there serve for him, and may there daily minister to God; and let him also be a benefactor everywhere to God's church; according as he may have the means; and facilitate the people's journeying, by bridges over deep waters, and over foul ways: and distribute, for love of God, readily what he has, to the very utmost of his means; and readily help poor men, widows, and step children, and foreigners; free his own slaves, and redeem to freedom their slaves from other men; and especially poor plundered men; and feed the needy, and clothe, house, and fire, bathe, and bed them, to their and his own benefit: let him everywhere diligently obtain intercession by mass-songs and psalms; and, for his Lord's love, chasten himself very severely by abstinence in meat and drink, and from every bodily lust.
- 15. And he who has yet less means, let him do diligently, according to his condition, that which he can do: let him tithe, for love of God, all that he owns; and ponder with himself as often as he has an opportunity; and frequently visit churches with his alms, and greet holy places with his light; and give the shelter of his house, and meat and protection to those who need it; and fire and food, and bed and bath; and add clothing, and assist the poor, if he aught can.
- 16. Let him visit with good those that are sorrowful and sick, and bury the dead for love of God; and let himself frequently kneel in secret places, and prostrate himself much on the earth oft and frequently, and fast, and watch, and fervently pray, by day and by night, oft and frequently. And he who has yet less means, let him do, according to his degree,

lîcháman onzean lurt. zir he sep puph livepne lurt deople zecpembe. pærte hû onzean p he sep puph rylle unpuht zerpemode. pacize y ppince pap-onzean. p he ort sep berlép y plapode. ponne he ná ne rcolde. opte on unnyt pacode to ppide. polize cyle y cold bæd onzean pa hlípde. pe he sep puph rynlurt ahpap zerpemode. y zir he abilhde ahpam on unpuht ahpap zepeolde. zebéte hit zeopne. y zir him abulze seniz man rpide. popzie p on Goder ert. y sa pær pe he mæze pence ppide zeopne hpæt to bote mæze onzean ælcne ryn-pær. pe puph deopler ræd sep peapd apeaxen. y zir he or peze. to-eacan him rylrum. senizne zebpohte. zebpinze hine zeopne ert on hir pihte peze. p ir. p ic mæne. zir he senizne man on rynne berpeone. do rpa him peapi ir. zebpinze hine or pam. y læde hine on hir piht pez. y ælcne man zeopne rpane he or rynnum. ponne beod hir rynna rona pe leohtpe:

xvii. Enne bom je man mæz mið jenifter zeþeahte him rýlrum beman. Þe annæblice pile hir rýnna zerpican. J hir rýnna zebetan. Dæle on Iroder eft eal þ he aze. J poplæte mið-ealle eand J eðel. J ealle þar poplð-luru. J þeópize hir Djuhtene bæzer J nihter. J prænce hine rýlrne. ppa he ppiðort mæze. onzean hir rýlrer lurt. ealle hir líp-bazar. Dpæt mæz he mane. buton þ he tihte. tó-eacan him rýlrum. ælene man tó nihte. ppa he zeonnort mæze:

xviii. Dep cýp on hú reóc man môt hip pæpten álýpan. — Wan mæz áner bæzer pæpten mið ánum peninze álýpan eac man mæz álýpan áner bæzer pæpten mið trám hund realmað exx. pealmað eác man mæz trelp monda pæpten álýpan mið exxx. pealmað eác man mæz trelp monda pæpten álýpan mið exxx. pealmað eác man mæz trelp monda pæpten álýpan mið pop áner bæzer pæpteneð man hip eneopu zebize pixtizum piðum tó eopðanð mið Paten nortenð eác man mæz áner bæzer pæpten álýpanð trelp hen hine áþenað eallum limum to hoðe æt hip zebeðumð mið

earnestly that which he can do; especially let him mortify his body against lust; if he ere, through wanton lust, gave pleasure to the devil, let him now fast on account of that unrighteousness which he ere through satiety perpetrated; let him watch and toil in atonement for having before often slept and been slow, when he should not, or uselessly waked too much; let him suffer cold, and cold bath, in atonement for the heat that he through sinful lust anywhere occasioned: and if he in anger anywhere have unjustly done violence to any one, let him diligently make amends; and if any man have greatly angered him, let him forgive it for love of God; and ever, as much as he can, let him think very earnestly what remedy there may be against every sinful impulse, which, through the devil's seed, had formerly grown up; and if he have brought any one out of the way besides himself, let him diligently bring him again into his right way: this is what I mean; if he have allured any man to sin, let him do what is his duty, let him bring him from it, and lead him into his right way: and let him diligently draw every man from sins: then shall his sins soon be the lighter.

- 17. One doom a man may, with his confessor's counsel, doom to himself, who resolutely desires to abstain from his sins, and make atonement for his sins: let him distribute, for love of God, all that he owns, and entirely forsake home and country, and all his worldly love, and serve his Lord by day and by night, and mortify himself, so as he can most severely, against his own lust, all the days of his life. What can he more, save that he draw, besides himself, every man to right, so as he can most earnestly?
- 18. Herein is declared, how a sick man may redeem his fast.

 —A man may redeem one day's fast with one penny; a man may also redeem one day's fast with ccxx. psalms; a man may also redeem a fast of twelve months with xxx. shillings; or let a man be freed, who is worth that money: and for one day's fast, let a man sing 'Beati immaculati' six times, and six times 'Pater noster;' and for one day's fast, let a man kneel and bend sixty times to the earth, with 'Pater noster:' a man may also redeem one day's fast, if he prostrate himself with all his limbs to God, at his prayers, and with true repent-

roone hneope. y mio pihtan zelearan. y ·xv· rioum rinze Wirepene mei Deur· y ·xv· rioum Paten norten· y bonne bio him ealne dæz zereald hir rýnna lihtingt:

xix. Seopon pintha pærten man mæz on tpelf mondum zebetan. Zir he ælce dæze áringað realtene realma. Y oðenne on niht. Y riftiz on æren. Eác mið ánne mærfan man mæz álýran .xii. daga pærten. Y mið .x. mærfan man mæz zelihtan .iii. monda pærten. Ji mið .xxx mærfan man mæz zelihtan .xii. monda pærten. Zir he pile mið róðne Iroder luran him rýlrum þingian. Y hir rýnna hir repirte andettan. Y hir pa zebetan rpa he him tæcð. Y zeonne ærne zerpícan:

BE COIDTIEUCO CANNUCO.

Dur mæz mihtiz man y rneond-rpediz hir bædbûte- mid rneonda rultume- micelum zelihtan:

- 1. Épert on Lober naman. be hir repirter zepitnerrezerputelize pihtne zelearan. 3 zemiltrize eallum ham he pib
 hine azylton. 3 66 hir andetnerre unroppandodlice. 3 behat
 zerpicenerre. 4 underré déedbote mid micelne zeompunze:
- II. Alecze honne hir pæpna. y foele pænca. y nime præphim on hand. y zá bæp-pôt zeopne. y dô pýllen tổ líce odde hæpan. y ne cume on bedde. ac licze on plette. y dô ji viii zeap-1zetælu beon binnon þpim dazum þur zepadode. pô on mið pultume. nime him tổ æpept exii. manna. y pæpten eili dazar be hlápe y be zpenum pýptum. y be pætepe. y bezite þap-tô-eácan. ppa hú ppa he mæze. peptier exxe manna. ji pæptan eác pop hine eili. dazar. þonne pýpð zepæpt ppa pæla pæptena ppa bið daza on evii. zeanum:

111. Donne man rærte ponne dæle man þa þénunga þe man bnucan ræolde ealle Iroder þeanran y þa þjug dagar þe man rærte ronlæte man ælæ popld-býrga y dæger y nihter pa

ance, and orthodox faith, and xv. times sing 'Miserere mei Deus,' and xv. times 'Pater noster;' and then shall be all day granted to him an alleviation of his sins.

19. A seven years' fast a man may compensate in twelve months, if he every day sing the psalter of psalms, and a second at night, and a fifty at even. Also with one mass a man may redeem a xII. days' fast; and with x. masses a man may lighten a IIII. months' fast; and with xxx. masses a man may lighten a xIII. months' fast; if he will, with true love of God, supplicate for himself, and confess his sins to his confessor, and so atone for them as he shall direct him, and carefully ever abstain.

OF POWERFUL MEN.

Thus may a powerful man, and rich in friends, with the support of his friends, greatly lighten his penance.

- 1. First, in the name of God, with the testimony of his confessor, let him manifest orthodox belief, and have compassion on all those who have sinned against him; and do his confession boldly, and promise cessation, and undertake penance with much sighing.
- 2. Let him then lay aside his weapons, and vain ornaments, and take a staff in his hand, and go barefoot zealously, and put on his body woollen or haircloth, and not come into a bed, but lie on a pallet, and so do, that in three days the series of vII. years be dispensed with thus: let him proceed with aid; and first let him take to him xII. men, and let them fast III. days on bread, and on green herbs, and on water; and get, in addition thereto, in whatever manner he can, seven times cxx. men, who shall also fast for him III. days; then will be fasted as many fasts as there are days in vII. years.
- 3. When a man fasts, then let the dishes that would have been eaten be all distributed to God's poor; and the three days that a man fasts, let him abandon every worldly occupation, and by

^{2.} vii. fihum hund thelteiz X.

man optopt mæge on cipican gepunige y mid ælmer-lechte pacızan þan zeonne. y το Γιοδε clipian. y ronzirnerre bibban. mid zeompizendum móde. 4 cneópian zelóme on póde tácne. hpîlum upp hpîlum nýben abenize. 4 cunnize zeopne maze man or еадим теараг дерæсап. ч гуппа bepépan. ч гебе man ba bní bazar Iroder beanrena rpa rela rpa man mære mæze. 4 on ham reoptan dæg batige man ealle. 4 reopmige. 4 reoh dæle. 4 rýlr re dædbéta beo ýmbe heopa rót-ppeal. 4 mærrize man by deeze for hine rpa rela mærran rpa man ærre mært bezitan mæge. 4°æt þane' sriðmærtan. Só man him abrolutionem. 4 za he ponne to hurle. buton he to pam rpiče ropzýlt γι· β he bonne zit ne môte· y beháte bonne hupu р he aa panon-rope Lober pillan pyncan pille. y ælcer unnihter bunh Loder rultum rpa rond zerpican. rpa he ærne rypmert mæz. y hir cpirtendom pihtlice healdan. y ælcne hæbendom mid-ealle apuppan. ze panc ze peapar. pond y peope zeopne zepihtan. æle piht apæpan. 4 unpiht aryllan. bunh Loder rultum. rpa he ærne zeonnort mæze. 4 to micelne peapre zeded he hit him-rylrum. repe zelært p he Loo beher:

iv. Dir ir mihtiger manner y preond-prediger deedbotlihtinge ac an unmaga ne mæg ppile geropöian ac p he mot on hine rylpne hit récan pe geopnop. y p bid eac pihtart p gehpa hir agene mirdeda prece on him-rylpum mid geopnrulpe bote. Schiptum ert enim. Quia unurquirque onur ruum popitabit:

 $^{^{1}}$ ppibban Y.

²¹ omit. Y.

day and by night, the oftenest that he can, let him remain in church, and, with alms-light, earnestly watch there, and cry to God, and implore forgiveness, with groaning spirit, and kneel frequently on the sign of the cross; sometimes up, sometimes down, extend himself; and let the powerful man try earnestly to shed tears from his eyes, and bewail his sins; and let a man then feed those three days as many of God's poor as he possibly can; and on the fourth day, bathe them all, and shelter them, and distribute money; and let the penitent himself employ himself in washing their feet, and let as many masses be said for him on that day as can possibly be obtained, and at the last, let absolution be given him; and then let him go to housel, unless he be so highly criminal that he yet cannot; and then let him at least promise, that he ever thenceforth will perform God's will; and, through God's succour, ever abstain from every unrighteousness to the utmost of his power; and his Christianity righteously uphold, and every heathenism totally cast away; both thoughts and habits, words and works, diligently correct; every righteousness promote, and unrighteousness suppress, through God's succour, as he ever most diligently may; and to his own great benefit he does it, who performs that which he promised to God.

4. This is the alleviation of the penance of a man powerful, and rich in friends; but one not possessing means may not so proceed; but must seek it in himself the more diligently; and that is also justest, that every one avenge his own misdeeds on himself, with diligent 'bot.' Scriptum est enim: Quia unusquisque onus suum portabit.

³ rið mærran D. rýððan Y.

*NORĐ-DYOBRA PREOSTA LAGU.

- 1. In hpa senizum preorte seniz poh beobe beon ealle zerepan mid bircoper rilrte zeopne ymbe pa bote y beon to selcan pihte rpa rpa hit apputen ir quari con unum et anima una:
- *I. And Iroder pop-boda pe popbeddad. I seniz preort

 *I. odner.

 *Odne cipican. naden ne zebiczse. ne zebiczse. buton hine has
 mid heapod-zylte poppynce. I he peopod-penunze panon-pop
 pynde ne 19. y zir hit seniz preort eller zebo. polize hir
 pundreiper. y zepenena preondreiper. y he nahpan ne mserpize. sen hiz hæbbe. pehe hi mid pihte aze. y zilde pehe poh
 dide .xx. on. ham bircope .xii. on. ham preorte he he or
 hir cipican apette. .xii. on. eallum zepenan. y holize her
 peor eac. zir he on unpiht seniz pon odner preorter cipican
 pealde. y selc preort pinde him .xii. perten-men. I he

ppeort-laze pille healdan mid pihte:

- III. And zir hpilc pheoft azilte- y he oren bircoper zeböd mæffize- zilde ron þam zeböde •xx• óp. y þap-tó-eacan þone
 I. he. zilt zebéte- þe *hit æn zeponhte:
 - iv. Lif pheoft biscoper agen geban ronbuge. gibe .xx. on.:
 - v. In preort dom to læpedum recotes he he to zehadedum recoldes zilde exx. on.:
 - vi. Lif pheoft ancediaconer zehan fonbuze. zilde exii. on.:
 - vii. In preoft region 16. 4 he ofen ancediaconer gebod mærfige. Ilde exii. on.:

The text is from D.

LAW OF THE NORTHUMBRIAN PRIESTS.

- 1. If any one offer any wrong to any priest, let all the brethren, with the bishop's succour, zealously see to the 'bot;' and let them be, in every case of right, as it is written, 'quasi cor unum et anima una.'
- 2. And we, God's messenger, forbid that any priest either buy or accept another's church; unless any one shall foredo himself with a capital crime, so that he thenceforth be not worthy of the altar-service; and if any priest otherwise do, let him forfeit his reverence, and the friendship of his brethren; and let him nowhere celebrate mass, ere he has it b who rightfully owns it. And let him who did the wrong pay xx. ores to the bishop; x11. ores to the priest whom he displaced from his church; x11. ores to all the brethren: and let him also forfeit the money, if he unlawfully gave any for the church of another priest: and let every priest find for himself x11. bondsmen, that he will rightly observe the priestly law.
- 3. And if any priest sin, and he, against the bishop's command, celebrate mass, let him pay for [breaking] the command xx. ores, and in addition thereto, let him make 'bot' for the sin he previously committed.
- 4. If a priest decline obedience to the bishop's own edict, let him pay xx. ores.
- 5. If a priest commit to laymen a doom that he should commit to ecclesiastics, let him pay xx. ores.
- 6. If a priest decline obedience to the archdeacon's edict, let him pay xII. ores.
- 7. If a priest be criminal, and he celebrate mass against the archdeacon's command, let him pay xII. ores.

b i. e. the church.

viii. Gif pheoft fulluhter obbe requirer roppyhne. zebéte h mid .xii. 6p. 4 hupu pið Iod þingize zeonne:

ix. The preoft to hitter timan chirman ne recce- gibe

x. Æzhpilc cilò ri pe læpað zerulloð binnon nizon nihtonbe pite •vi• op. y zir hæðen cilò binnon •ix• nihton þuph zímelirte roprápen ri• bétan rop Iroðe buton poplò-pitey zir hit open nizan niht zepunðe• bétan rop Iroðe• y zilðe •xii• op. rop þape heonde þe he pær hæðen rpa lanze:

xi. Lif preoft folce mispirfize æt freolfe oppe færtene bête pið Iod. 4 zilde •xii. or.:

xII. Lif pheoft on unpilt ut of scipe had begite zilbe -xII. of. 4 placon .vi. of. 4 polian his hader buton scipe-biscop heom hader zeunne:

xIII. Lip preoft on unhalgodon hure mæffige. Zilde •xII • op.:

xiv. Lif pheoft buton zehalzobon peofode mæffize- zilde

xv. In ppeort on theopenan calice hurl zehalzize. [ziloe]

xvi. Lip preopt buton pine mæppige. zilde exile on.:

xvII. Lif pheoft hurl fortime. Ilde .xII. on .:-

xviii. Lif pheoft aner dæger mærrige ofton bonne bjupagilde .xii. op.:.

xix. Lif man cipic-zpië abpece. bete be cipcan mæde. y be ham he hipe munde ri:

xx. Lir man mid cipican mangie. bête be lah-plite:

- 8. If a priest refuse baptism or shrift, let him make 'bot' for that with xII. ores, and, above all, earnestly pray for pardon to God.
- 9. If a priest at proper time do not fetch chrism, let him pay xII. ores.
- 10. We enjoin, that every child be baptized within nine days, under penalty of vi. ores; and if a child, within ix. days, die a heathen, through negligence, let them make 'bot' before God, without secular penalty. And if it be over nine days, let them make 'bot' before God, and pay xii. ores for the hardness through which he was a heathen so long.
- 11. If a priest misguide the people respecting festival or fast, let him make 'bot' to God, and pay x11. ores.
- 12. If a priest unlawfully, out of his district, obtain orders, let him pay xII. ores; and a deacon vI. ores; and forfeit his orders, unless the bishop of the district will grant him the orders.
- 13. If a priest in an unhallowed house celebrate mass, let him pay x11. ores.
- 14. If a priest without a hallowed altar celebrate mass, let him pay x11. ores.
- 15. If a priest in a wooden chalice hallow housel, let him pay xII. ores.
- 16. If a priest celebrate mass without wine, let him pay xII. ores.
 - 17. If a priest neglect the housel, let him pay x11. ores.
- 18. If a priest in one day celebrate mass oftener than thrice, let him pay xII. ores.
- 19. If a man break church-grith, let him make 'bot' according to the rank of the church, and according as its 'mund' may be.
- 20. If any one traffic with a church, let him make 'bot' according to 'lah-slit.'

xxi. Inf man cipican nýd-þeopige- zebete þ be lah-flite:-

xxII. Lif man preoft of circan on unfilt fitige. bete \$ be lah-rlite:

xxIII. Irr man preort zepundize zebéte man þa pýndlang þ tó peorod-bóte ron hir hade rýlle xIII ón. æt diacone vion. tó peorod-bóte:

xxiv. Ing man preopt ogglea. porgulde man hine be gullan pêre. 9 bigcope peoper 9 .xx. ôp. tô peopod-bôte. æt diacone .xii. ôp. tô peopod-bôte:

xxv. Lif pheoft cincan mispundizes be eat his pundscipe of sceal animal zebête b:

xxvi. In preoft on circan ungedärenlice hinge zelozizetebête h:

xxvII. Lif pheoft cipic-binge utize. Zebete b:

xxvIII. In preoft rylf-piller pa circan conlecte pe he to zehádod pær. zebéte p:

xxix. In preoft odenne ropreo obbe zebirminize mid ponde obbe mid peonce zebéte p:

xxx. In preoft pið oðerne zereohte béte him y bircope:

xxxi. Gif pheoft obnum on unjuht on fultume beo-

xxxII. Lif preoft offium ribter fultumer forpyfinezebête f:

 L unpapnoone. жжин. Ін ppeort oберпе "unpapnode læte þær þe he pite р him heapmian pille- gebéte р:.

xxxiv. In preoft rease miggine bearder obje reaxer-

- 21. If any one reduce a church to servitude, let him make 'bot' according to 'lah-slit.'
- 22. If any one unlawfully turn a priest out of a church, let him make 'bōt' according to 'lah-slit.'
- 23. If any one wound a priest, let him make 'bot' for the wound, and as altar-'bot,' for his order, give x11. ores; for a deacon, vi. ores as altar-'bot.'
- 24. If any one slay a priest, let him make compensation for him according to his full 'wer;' and to the bishop, four and xx. ores, as altar-'bot:' for a deacon xII. ores as altar-'bot.'
- 25. If a priest dishonour a church, from which all his dignity is to proceed, let him make 'bot' for it.
- 26. If a priest place unbecoming things in a church, let him make 'bot' for it.
- 27. If a priest turn out anything of the church, let him make 'bot' for it.
- 28. If a priest of his own will leave the church to which he was ordained, let him make 'bot' for it.
- 29. If a priest despise or insult another, with word or with deed, let him make 'bot' for it.
- 30. If a priest fight with another, let him make 'bot' to him and to the bishop.
- 31. If a priest be aiding to another in wrong, let him make 'bot' for it.
- 32. If a priest refuse another lawful succour, let him make 'bot' for it.
- 33. If a priest leave another unwarned of that which he knows will harm him, let him make 'bot' for it.
- 34. If a priest neglect the shaving of beard or of locks, let him make 'bot' for it.

xxxv. Lif pheoft chénan roplæte. 4 obje níme. anabema

xxxvi. Lif preoft on geretne timan. tida ne punge. obbe tida ne ringe. gebête b:

хххvii. Lip pheort mid pæpnum innan cipcan cumegebête р:-

xxxviii. Lif pheoft mirendebinde cipiclice gean-bénungabæger obbe nihter- zebéte þ:

xxxix. Lif preoft ordal migradize. Zebete \$:-

* L rceappas. xL. Lir ppeort * reappas bepinde gebête p:

xli. Lif ppeort oren-dnuncen lufize. obbe zliman. obbe eala-rcop punde. zebete р:

xLII. Lif pheoft rophèle hat on his schift-scine betpeox fixizence? mannum to unpilite fixizen gebête f:

жын. Бир ppeore деар-деринта unmynegode læte. девёте р:-

жых. Інг preort rinos ronbuge. gebete р:-

xiv. In preort to inte zebuzan nelle ac onzean biscoper zerædnesse profesize zebete po oppe beo he aryndred or zehadodra zemanan. I bolize æzden ze zerensciper. Ze æzhrilcer pundsciper buton he zebuze. I be deoppor zebete:

xLvi. Lif hpa Lober lage obbe folc-lage pipde- gebete hrt geonne:

xivii. Calle pe rculon senne Irod pundian y lúrian. y senne chirtendóm zeonne healdan. y selcne hædendóm mid-ealle apunpan:

xLvIII. Lip bonne seniman aziten punde. \$\forall \text{senize haden-} rcipe heonan-rond diecoze. obbe on blot. obbe on riphte-

- 35. If a priest forsake a woman, and take another, let him be excommunicated.
- 36. If a priest, at the appointed time, do not ring the hours, or sing the hours, let him make 'bot' for it.
- 37. If a priest come with weapons into a church, let him make 'bot' for it.
- 38. If a priest misorder the annual services of the church, by day or by night, let him make 'bot' for it.
- 39. If a priest misconduct an ordeal, let him make 'bot' for it.
- 40. If a priest enwrap his tonsure, let him make 'bot' for it.
- 41. If a priest love drunkenness, or become a gleeman or an 'ale-scop,' let him make 'bot' for it.
- 42. If a priest conceal any thing in his shrift-district between men tending to wrong, let him make 'bōt' for it.2
- 43. If a priest let the yearly dues pass unreminded, let him make 'bot' for it.
 - 44. If a priest shun the synod, let him make 'bot' for it.
- 45. If a priest will not submit to law, but opposes the bishop's ordinance, let him make 'bot' for it; or let him be sundered from the clerical community, and forfeit both his fellowship, and every dignity; unless he submit, and the more deeply make 'bot.'
- 46. If any one corrupt the law of God, or the law of the people, let him diligently make 'bot' for it.
- 47. We are all to worship and love one God, and zealously observe one Christianity, and every heathenship totally renounce.
- 48. If then any one be found that shall henceforth practise any heathenship, either by sacrifice or by 'fyrt,' or in any way

^{*} This translation is conjectural, the text being apparently corrupt.

obbe on sent piccecheer lurize. obbe idola pundinge. zir he rî cynzer bezn. zilde .x. healr-manc. healr Epirte. healr bam cynze:

xLix. In hit yî eller land-azende man. zilde vi. healf-manc. healf Epirte. y healf land-pican:

- L. In hit fi rænbena. zilde .xii. ôp.:
- LI. Lif cyninger bezn ærrace. bonne nemne man him .xii. y nîme hir maga .xii. y .xii. Pallep-pente. y zir hit beprtebonne zilde he lah-rliht .x. healr-manc.
- LII. In land-agende man ætrace ponne nemne man him
 *Lzelicena. hip *zelican ealrpa micel Pente ppa cyninger þegne gir him
 b benrte zilde lah-rliht vi healr-manc:
 - LIII. Lip cypling man ætræce bonne nemne man him hip zelîcena eal ppa micel Pente ppa bam oğnum zir him b benrte bonne zilde he lah-rliht xii on.:
 - LIV. In phio-zeand m on hear lande abuton rtan obje theor obje pille obje pricer enize rleand bonne zile re be hit pophte lah-pliht healf Epirte healf land-man y zir re land-man nelle to rteore rilrtan bonne hæbbe Epirt y cyninge ba bote:
 - Lv. Sunnan-dæzer cýpinze pe ropbeodað æzhpan. y ælc rolc-zemot. y ælc peopc. y ælce lade. æzden ze on pæne. ze on hopre. ze on býpdene:
 - LVI. Sebe seniz bijra do. zilde pite. piiman exii op. beopman ba hyde buton pez-repende pa moton pop neode mete neade repian. I pop unppide man mot preolp-serenan nyde pulpapan betpeonan Ereppic I pix mila zemete:
 - LVII. Sebe presil obbe pilt pærten brece zilse pite exitop. I pe pillas pælt Rom-pæniz beo zelært be Petrer mærran to ham birceop-rtole. I pe pillas p man namize on ælcon pæpen-zetæce III trype þeznar. I ænne mærre-

love witchcraft, or worship idols, if he be a king's thane, let him pay x. half-marks; half to Christ, half to the king.

- 49. If it be any man else owning land, let him pay vs. half-marks; half to Christ, and half to the 'land-rica.'
 - 50. If it be a 'færbena,' let him pay x11. ores.
- 51. If a king's thane make denial, then let xII. be named to him, and let him take XII. of his kinsmen, and XII. 'Waller-wents;' and if it fail, then let him pay 'lah-slit' x. half-marks.
- 52. If a land-owning man make denial, then let be named to him of his equals as many 'Wents' as to a king's thane; if it fail him, let him pay 'lah-slit' vi. half-marks.
- 53. If a ceorlish man make denial, then let be named to him of his equals as many 'Wents' as to the others; if it fail him, let him pay 'lah-slit' xII. ores.
- 54. If there be a 'frið-geard' on any one's land, about a stone, or a tree, or a well, or any folly of such kind, then let him who made it pay 'lah-slit;' half to Christ, half to the 'land-rica:' and if the 'land-rica' will not aid in levying the fine, then let Christ and the king have the 'bot.'
- 55. Sunday's traffic we forbid everywhere, and every folkmote, and every work, and every journeying, whether in a wain, or on a horse, or as a burthen.
- 56. He who shall do any of these, let him pay the 'wite:' a freeman xII. ores; a 'theowman,' with his hide; except travellers, who may, in case of need, convey food; and on account of war, any one may, on the eve of a festival, if needful, travel between York and a distance of six miles.
- 57. He who breaks a festival or lawful fast, let him pay a 'wite' of xII. ores; and we will that every Rome-penny be paid by Peter's mass to the episcopal seat; and we will, that in every wapentake there be named II. true thanes, and one

ppeort. I hi hit zezabenian. 4 ert aziran. rpa hi bunnan to-rpenian:

LVIII. Lip cyninger pegn oppe senig land-pica hit pophæbbegilde -x. healr-manc, healr Epirte- healr cynge:

LIX. Lip hpile tuner-man Enigne pænig rophele. oppe rophæbbe. gilde re land-pilea bone pænig. y nime Enne oxan æt ham men. y zip land-pilea b ropgime. honne ro Epipt y cyning to rulpe bote .xii. op.:.

Lx. Lif hpá teoðinge fonhealde. I he fi cýninger þegngilde ·x. healf-manc. land-agende ·vi. healf-manc. ceopl •xii. ón.:

LXI. And pe rophecodo on Goder rophode. It nan man nan ma pira næbbe buton 11. y red beo mid pihte bepeddod. y ma? ropkiren. y nan man ne pirike on neah ribban "m' honne pid-utan ham 11111. cneope. ne nan man on hir kod-ribbe ne pirike. y kir hya kedd. næbbe he Goder mildre. butan he kerpice. y bete rpa bircop ketæce:

LXII. Lip he ponne on pam unpilite geendige polize he clener legener. A Lober milore:

LXIII. Lip hpá pið nunnan poplicze. jí æzðen hip péper polidiz. ze he. ze heó. y zip hí on þam zeendizan. buton zerpícennerre. þolian clæner lezener. y Loder mildre:

LXIV. In how his puht sepe listgende sonlete. 9 on ognan pie on unniht zepisize. næbbe he Iroder mildre. buton he hit zebete:

LXV. Ac healde zehpa mid piht hir sepe ba hpîle be heô libbe buton p zepupõe p hî buta zeceoran be birceoper zepeahte p hî zerpæman y panon-ropo pillan clænnerre healdan:

mass-priest, who shall collect it, and afterwards render it, so that they dare swear to it.

- 58. If a king's thane, or any 'land-rica,' withhold it, let him pay x. half-marks; half to Christ, half to the king.
- 59. If any 'tunes-man' conceal or withhold any penny, let the 'land-rica' pay the penny, and take an ox from the man: and if the 'land-rica' neglect it, then let Christ and the king take a full 'bot' of xII. ores.
- 60. If any one withhold his tithe, and he be a king's thane, let him pay x. half-marks; a land-owner, vi. half-marks; a ceorl, xii. ores.
- 61. And we prohibit, with God's prohibition, that any man have more wives than one, and let her be lawfully betrothed and given; and let no man marry among kin more near than without the IIII. degree, nor any man marry among his spiritual kin; and if any one do so, let him not have God's mercy, unless he abstain, and make 'bot,' as the bishop may prescribe.
- 62. But if in that unlawfulness he die, let him forfeit a hallowed grave, and God's mercy.
- 63. If any one lie with a nun, let both be liable in the 'wer;' both he and she; and if they die in that sin, without abstaining, let them forfeit a hallowed grave and God's mercy.
- 64. If any one forsake his lawful wife, as long as she lives, and unlawfully wed another woman, let him not have God's mercy, unless he make 'bot.'
- 65. But let every one lawfully keep his wife, as long as she lives, unless it be, that they both choose, with the bishop's counsel, to separate, and will thenceforth observe chastity.

LXVI. Lip seniz man heonan-ropo pihte lage pipoe gebete

LXVII. Galle pe rculon senne Irob lurian. y pupoian. y senne churtendom zeonne healdan. y selcne heedendom mid-ealle apunpan. y pe pillad y land-ceap. y lah-ceap. y pit-pond. y zethype zepitner. y liht dom. y rulloc. y rhum-talu repte rtande. y dinnce-lean. y hlaronder niht ziru. y hunu an churtendom. y an cynedom. serne on beode:

Sit nomen Domini benedictum ex hoc nunc et usque in seculum.

- 66. If any man henceforth shall corrupt just law, let him make 'bot' earnestly.
- 67. We are all to love, and worship one God, and strictly hold one Christianity, and totally renounce all heathenship: and we will that 'land-ceap,' and 'lah-ceap,' and 'wit-word,' and true witness, and righteous doom, and 'fulloc,' and 'frum-talu,' stand fast; and 'drince-lean,' and the hlaford's 'riht gifu,' and, above all, one Christianity, and one kingship, for ever in the nation.

*INSTITUTES OF POLITY,

CIVIL AND ECCLESIASTICAL.

I. BE PEOFONLICUM CYNINGE.

In nomine Domini. Án if ece Lýning, pealdend y pýphta ealpa zercearta. De if on piht Lýning, y cýninga puldop, y ealpa cýninga betre, be æfne zepupde, odde zepeopde. Dim rýmble rý lóf, y puldop, y ece pýpdmýnt, a to populde. Amen:

II. 1BE CORDLICUO CYNINGE.

Epistenum cýninge zebýpeš on chistenne þeose. Š he rýeal spa hit piht is polces prósem y pihtpís hýpse oren chistene heopse. J him zebýpeš š he eallum mæzne chistensom
pæpe. J Goses cýpican æzhpan zeopne pýpšpie y prišie. J
eall chisten polc sibbie y sehte, mis pihtpísmesse upre- pop
Gose y pop popolse, sopham þuph š he sceall rýls pýpmest
zebeon. J his þeosseipe eac spa, þe he piht lusie, pop Gose
J sop populse. J him zebýpeš š he zeopnice pýlste þam þe
piht pillan. Já hetelice stýpe þam se þpýpes pillan. De sceal
mán-sæse men þpeazan þeaple, mis populstiche steope. J
he sceal pýpepas, J peasepas, J þar populstiche steope. J
he sceal pýpepas, J peasepas, J þar populstiche steope. J
æzsep he sceal besn mis pihte. Ze milse ze peše, milse þam

^{1&}quot; Be Lynincze.—Engrenum cyninge zebynaö ppiče pihre † he ry on pæben ræle chirtenne þeobe- j on pape j on peape Engrer zerpeliza- ealrpa he zecealo ir- j him zebinaö eac † he eallium hir åpole chirtenbom lurize- j hæbenbom arcunize- j † he Lober cyncan æxhpan zeonne peophize j penize- j eal chirten pole ribbize j rehremib pihrpe laze- ppa he zeonnort mæze- j þunh † he rceal zeþeon zobe- þe he pihr lurize- j unpihr arcunize."

^a The text is from X., collated with D. and G. Those passages in D. and G. which differ too widely for collation are added at the foot.

*INSTITUTES OF POLITY,

CIVIL AND ECCLESIASTICAL.

I. OF THE HEAVENLY KING.

In the name of the Lord. There is one eternal King, Ruler and Maker of all creatures. He is rightfully King, and Glory of Kings, and of all kings best, who ever were, or shall be. To him be ever praise and glory, and eternal majesty, for evermore. Amen.

II. OF AN EARTHLY KING.

It is the duty of a Christian king, in a Christian nation, to be, as it is right, the people's comfort, and a righteous shepherd over a Christian flock. And it is his duty, with all his power, to upraise Christianity, and everywhere further and protect God's church; and establish peace among, and reconcile all Christian people, with just law, as he most diligently may, and in everything love righteousness, before God and before the world; because he shall thereby chiefly prosper himself, and his subjects also, because he loves justice, before God and before the world. And it is his duty earnestly to support those who desire right, and ever severely to punish those who desire perverseness. He shall evil-doing men vigorously chastise with secular punishment, and he shall robbers, and plunderers, and public spoilers, hate and suppress, and all God's foes sternly

[&]quot;Of a King.—It is very rightly the duty of a Christian king to be in the place of a father to a Christian nation, and in watch and in ward Christ's vicegerent, so as he is accounted. And it is also his duty, with all his mind, to love Christianity, and shun heathenism, and everywhere to honour and protect God's church, and to establish peace among, and reconcile all Christian people, with just law; as he most diligently may; and thereby he shall prosper in good, because he loves justice, and shuns injustice."

The whole of what is contained in D. and G. is distinguished by inverted commas.

χόδυμε η rtypne pam ýrelum. Đæt bið cýninger pihte y cýnelic zepuna. 4 p rceal on beode rpýbort zernemian. buph hpær rceal Loder beopum y Loder beaprum rpid y rultum cuman. butan buph Epirt y buph chiftenne cyning. Dunh cyninczer pirdom pole pynd zeræliz. zerundpul. y rizerært. y þý rceal pír cýning chirtendom y cýnedom michan y mæprian. y á he rceal hæþendom hindpian y hýppan. rceal boc-lanum hlyrcan rpybe деоппе у Гобег beboda деоринсе healdan. у деноте ріб рітап рігбот гтеадап. дўг he Lode pile pihtlice hypan. And zir hpa to pam rtpec rý· ahpæp on þeode· þ piht nelle healdan· гра гра he rceolde· ac Loder laze pýpde. obše rolc-laze mýppe. bonne cýbe hr man þam cýninge. gir man þ nýðe rcýle. 4 he þonne rona næde embe þa bóte. y zepýlde hine zeonnlice. to þam þe hir реарг гу- hunu unhancer- zir he eller ne mæze- ч бо гра him beaut it clausize his peope ton Lobe a ton bounder it he Loder mildre zeeannian pille:

III. BE LYNEDOME.

"Cahta rpenar rýndon be nihtlicne cýnedom tnumlice up-pezad. rodrærtnýr modizner númheontner nædrærtner uenitar patientia lanzitar penruabilitar ezerrulner rýppningner lihtingner nihtpirner connectio malonum exaltatio bononum leuitar tnibuti equitar iudicii y reoron þing zebarenad nihtpirum cýninge án ænert þ he rpýbe micelne Goder eze hæbbe y oden þ he ærne nihtpirnerre lurize y þnidde þ he eadmod rý pið Gode y reonde þ he rtidmod rý pið ýrele y rifte. Þ he Goder þeanrum rhernize y rede y rýxte þ he Goder cýncan rýndnize y rhidize y reorode þ he be rheondan y be rhemdan radize zelice on nihtlican dome:"

IV. BE LYNE-STÓLE.

"Ælc nht cýne-rtol rtent on þným rtapelum- þe rullice aniht rtent. an ir onatoner. 9 oðen ir labonatoner. 9 þniðde ir bellatoner. Onatoner rindon gebedmen. Þe Lode rculan þeopian. 9 dæger 9 nihter ron ealne þeodrcipe þingian geonne. Labonatoner rindon peonamen. Þe tilian rculon þær þe eall þeodrcýpe big rceall libbah. Bellatoner rýndon pigmen. Þe eand rculon penian piglice mið pæpnum. On þýrrum þným rtapelum rceall ælc cýne-rtol rtandan mið nihte. on cnirt-

withstand; and rightly he shall be both mild and severe, mild to the good, and stern to the evil. That is a king's prerogative, and a kingly practice, and that in a nation shall be most effective. Lo! through what shall peace and support come to God's servants and to God's poor, save through Christ, and through a Christian king? Through the king's wisdom, the people become happy, well-conditioned, and victorious, and therefore shall a wise king magnify and honour Christianity and kingship, and he shall ever hinder and abhor heathenism. He shall very diligently listen to book-precepts, and zealously hold God's commandments, and frequently meditate wisdom with the 'witan,' if he will rightly obey God. And if any one be so violent, anywhere in the nation, that he will observe no law, so as he ought, but corrupts God's law, or obstructs the people's law, then be it announced to the king, if it be needful, and let him then forthwith decree respecting the 'bot,' and strenuously compel him to that which is his duty, even forcibly, if he otherwise cannot; and let him do as it behoves him, let him purify his people before God and before the world, if he will merit God's mercy.

III. OF A KINGDOM.

"Eight are the columns which firmly bear up a lawful kingdom: truth, magnanimity, liberality, stedfastness, formidableness, promotion [of the good], lightness [of taxation], righteousness [of judgment]; and seven things are befitting a righteous king: first, that he have very great awe of God, and secondly, that he ever love righteousness, and thirdly, that he be humble before God, and fourthly, that he be rigid towards evil, and fifthly, that he comfort and feed God's poor, and sixthly, that he further and protect God's church, and seventhly, that, towards friends and towards strangers, he be guided alike to just judgment."

IV. OF A THRONE.

"Every lawful throne, which stands perfectly erect, stands on three pillars: one is 'oratores,' and the second is 'laboratores,' and the third is 'bellatores.' Oratores are supplicants, whose duty is to serve God, and earnestly intercede, both day and night, for all the nation. Laboratores are workmen, who are to provide that by which all the people shall live. Bellatores are warriors, who are to defend the country martially with weapons. On these three pillars ought every throne rightfully

enne peode y apácie heopa æniz pona re rtol reżlró y rulbentte heopa æniz ponne hnyrð re rtol nyðen y þ pynð þæne peode eall to unpeapre ac rtapelize man y rtnanzie y thumme hi zeopne mið pirliche Goder laze y mið pirliche popold-laze þ pynð þam þeodreype to langruman næde y roð ir þ ic recze apácie re chirtendóm rona reżlrð re cynedom y apæne man únlaza ahpan on lande oðde únriða lurize ahpan to rpiðe þ cýmð þæne þeode eall to unþeapre ac dó man rpa hit þeapr ir alecze man únpiht y næne up Goder piht. Þ mæz to þeapre pop Gode y rop poplde. Amen:"

V. BE DEOD-PITAN.

Lýningan y birceopan· eoplan y benetogan· generan y beman · lan-pitan y lah-pitan · zebarenao mid pihte · rop Lobe 4 rop populde. I hi annæde peopoan. 4 Loder piht lurian. And birceopar rýndon býdelar y Loder laze laneopar y hi rculan [piht] bodian. 4 unpiht topbeogan. 4 tehe otehpozize p he heom hlyrte. hæbbe him zemæne p pið Toð rýlrne. y zir birceopar ropzýmač β hi rýnna ne rtýpač ne unpiht popbeodaje ne Loder piht ne cýpade ac clumiad mid cearlum þæn hi rceolóan clýpian. pa heom þæne rpizean. rppæc re piteza. 4 zpimlice bur cpæb. Dæc dicit Dominur. 81 non abnuntiauepir iniquo iniquitatem ruam. ranguinem eiur de manu tua pequipam. Lir bu bam rynrullan neltcpæð upe Dpihten. rýnna zertýpan. y unpiht ropbeoban. y þam manrullan man-bæða cýðan. þu rcealt þa raple bitene ropzýloan. Dir mæz to heopt-hoze æzhpýlcum birceopebebence hine zeopne. be bam be he pylle. And rebe nele Trober bodan hýpan mið piliter ne zodcundne lane zýman rpa he rceolde he rceall hypan reondan zyr he nele rpeondan. ropham re bid Loder openhoza be Loder bodan openhozad. ealrpa Epirt rýlr on hir zodrpelle rpýtolice ræde þa þa he bur cpæð. Qui uor audit me audit. et qui uor rpennit me rpennit. De cpæð. Sebe eop hýpeð meze hýpeð. 4 rebe rophozač eop me he rophozač. Cala rpæp 17 reo býpčen þe Loder bydel benan recall zir he nele zeonne unnihr ronbeodan. roppam be he rylr tela do. 4 oden man mirdo. p him rceall zedepian. "y zir he nele" rtýpan. y þeh Iroder

* peh?
* hine add.?

¹ lape X. lage D.G.

to stand, in a Christian nation; and if either of them become weak, forthwith the throne will totter; and if either of them break, then will the throne fall down, and that is altogether to the nation's detriment; but let them be diligently fixed, and strengthened, and confirmed with the wise law of God, and just secular law, that will be to the lasting advantage of the nation: and true it is what I say, if Christianity be weakened, the kingdom will forthwith totter; and if bad laws be set up anywhere in the nation, or vicious habits be anywhere too much loved, that will be all to the nation's detriment: but let be done as it is requisite, let unrighteousness be suppressed, and God's righteousness upraised; that may be beneficial before God, and before the world. Amen."

V. OF THE CHIEF 'WITAN.'

Kings and bishops, 'eorls' and 'heretogs,' reeves and judges, doctors and lawyers it rightly befits, before God and before the world, that they be of one mind, and love God's righteousness. And bishops are heralds, and teachers of God's law, and their duty is to preach [righteousness], and forbid unrighteousness, and he who disdains to listen to them, let that be in common with him and God himself. And if bishops neglect to correct sins and forbid unrighteousness, and make not known God's righteousness, but murmur with their throats, where they ought to cry out, woe to them for that silence! Of them spake the prophet, and thus angrily said: 'Hæc dicit Dominus: Si non adnuntiaveris iniquo iniquitatem suam, sanguinem ejus de manu tua requiram.' 'If thou,' said our Lord, 'wilt not correct the sins of the sinful, and forbid unrighteousness, and make known to the wicked his wicked deeds, thou shalt bitterly pay for that soul.' This may be a heart-care to every bishop; let him bethink himself earnestly, according as he will. And he who will not properly hear God's preachers, nor attend to divine doctrine as he should; he shall hear foes, if he will not friends; because he is a contemner of God, who contemns God's preachers; as Christ himself, in his Gospel, manifestly said, when he thus spake: 'Qui vos audit, me audit; et qui vos spernit, me spernit: He said: 'He who heareth you, heareth me; and he who despiseth you, despiseth me.' Alas! heavy is the burthen, which God's herald must bear, if he will not strenuously forbid unrighteousness; because though he himself

Apparently redundant.

býdel miroo ne bereo man na þæp-to ac gýme hir lapegir he tela læpe rpa rpa Epirt læpde þ man don rceolde þa
þa he on hir godrpelle rputolice þur cpæð. Que hi dicunt
racite que autem raciunt racepe nolite. De cpæð Fýliað
heopa lapum y na heopa rýnnum. Ne rceal ænig man ærpe
rop birceoper rýnnum hine rýlrne ropgýman ac rýlige hir
lapum gir he pel læpe. And la leoran men doð rpa ic bidde
butan gebelge hlýrtað hpæt ic recge. Ic pat rpýðe geonne
me rýlrne roppophtne popder y dæde ealler to rpýðe ne
deap þeah rop Ioder ege roprpýgian mid-ealle rela þapa
þinga þe depeð þirre þeode:

VI. DE EPISCOPIS.

"Bırceopar rculan bocum y zebebum rylızean. y bæzer y nihter ort y zelome clypian to Epirte y rop eall chirten rolc þingian geopne. y hi rceolan leopnian. y pihtlice læpan. y ýmb rolcer bæba zeopnlice rmeazan. y hiz rcýlan bodian y býrnian zeopne zoocunde þeapre chirtenne þeode. y ne rcylan hýz æniz unpiht piller zeþarian ac to ælcan pihte zeopnlice rýlrtan· hý rculan Loder eze habban on zemýnde y ne eangian rop populò-ege ealler to rpybe ac bobian hy rýmle Loder puhr zeopne. y unpuhr ropbeodan. zýme reče pille. roppam pace bid re hypoe runden to heopde. be nele pa heopõe. pe he healdan rceal. hupu mid clýpunge bepepian. butan he eller mæze. zir þæp hpýlc þeoð-rceaða rceaðian onzinneč. Nir nan rpa ýrel rceača rpa ir beorol rýlr- he bið áá ýmbe þan· hu he on manna raplum mært zerceadian mæge bonne moran þa hýndar beon rpide pacone. y zeopnlice clipiende. Þe pið þone þeod-rceaþan rolce rcýlan rcylban. Dæt ryndon birceopar y mærre-pneortar be zobcunde heonde zepanian y bepenian rcylan. mid pirlican lanan. p re pod-rpeca pepe-pulr to rpide ne torlite ne to rela ne abite or zodcundne heonde. 4 rede orenhozie & he heom lýrte hæbbe him zemæne þ pið Iod rýlfne. Eala rela ir гра-реаћ репа ре hponlice дутаб. у lýt-hpón пессаб embe bóca beboda. odde birceopa lapa. y eac embe bletrunza odde unbletrunza leohtlice lætað. y ná undeprtandað. rpa rpa hý rceoloan· hpæt Epirt on hir zoorpelle rputollice ræbe· þa ða he bur cpæd. Quir uor audit. et peliq. et item. Quodcunque ligauenitir et cetena et item. Quonum nemirenitir peccata do good, and another man does amiss, that shall injure him, if he will not correct [him]; and though God's herald do amiss, let not a man look to that, but mind his doctrine, if he teach what is good, so as Christ taught that a man should do, when he, in his Gospel, manifestly thus spake: 'Quæ hi dicunt facite, quæ autem faciunt, facere nolite:' He said: 'Follow their doctrines, but not their sins.' No man ought ever, on account of the bishop's sins, to disregard himself, but let him follow his doctrines, if he teach well. And lo! beloved men, do as I enjoin, without anger; listen to what I say. I know very well myself to be wicked in word and deed, all too much; nevertheless I dare not, through fear of God, be altogether silent regarding many of those things which injure this people.

VI. OF BISHOPS.

" Bishops shall follow their books and prayers, and daily and nightly, oft and frequently call to Christ, and earnestly intercede for all Christian people; and they shall learn, and rightly teach, and diligently inquire regarding the people's deeds; and they shall preach and earnestly give example, for the spiritual need of a Christian nation; and they shall not willingly consent to any unrighteousness, but earnestly support all righteousness; they shall have the fear of God in mind, and not be too slothful, for fear of the world; but let them ever earnestly preach God's righteousness, and forbid unrighteousness; observe it who will; because weak will the shepherd be found for the flock, who will not defend, at least with his cry, the flock which he has to tend, unless he otherwise may, if any public robber there begin to rob. There is none so evil a robber as is the devil himself; he is always [busied] about that one thing -- how he may rob most among men's souls: therefore should the shepherds be very watchful, and diligently calling, who have to shield the people against this public robber. These are bishops and mass-priests, who have to protect and secure the godly flock with wise instructions, that the ferocious were-wolf do not too widely devastate, nor bite too many of the spiritual flock: and he who scorns to listen to them, be that between him and God himself. Alas! many are there, nevertheless, of those who heed but little, and care little for precepts of books, or instructions of bishops, and also hold lightly of blessings or curses, and understand not, as they ought, what Christ in his Gospel manifestly said, when he thus spake:

pemittuntup eige et cetepa. Alibi etiam repiptum egt. Quodeunque benedixepitige et cetepa. Et pralmigta teppiblitep loquitupe dicenge Qui noluit benedictioneme prolongabitup ab eo." Epyle ig to behencenne g pid Goder yppe to papinenne rymle. Nu læpe pe eac zeopne manna zehpylene p he Goder lapum g hig lazum rylzie honne zeeapnad he him ece myphhe:

VII. ITEM.

Birceope zebýpeš ælc pihting. ze on zobcundan þingan. De reeall zehabobe men æpert zeze on populòcunòan. pirrian. p heona æle pite hpæt him mid pihte zebýpize to bonne. 4 eac hpæt hy populo-mannum agan to beobanne. rceal beon rymle ymbe rome y ymbe ribbe. rpa he zeonnort mæz. De rceall zeonne raca rehvan y ppið pýpcan. mið þam populò-beman pe piht lurian. De rceall æt tihtlan labunge дебінсап. ў æniz man обрит æniz poh beoban ne mæze. aðon oððe on aþe oððe on ondale. Ne rceall he zeþarian æniz unpiht. ne poh zemet. ne ralr zepihte. ac hit zebýpeš þ be hir pæde rape. 4 be hir zepitnerre. æzhpýlc lah-piht. ze buph-piht ze land-piht. 4 ælc buph-zemet. 4 ælc pæzpundenn. beo be hir dihte ze reife rpide nihte. be lær æniz man oбрит mirbeode y buph p ryngize ealler to rpybe. A he rceal regloan chirtenum mannum pio æle þæpa þinga pe rýnlic bið. y þý he rceal on æzhpæt hine þe rpýðon teon. be he be zeonnon pite hu reo heond rane. he he to Lober handa zehealdan rceall. F deorol to rpyde pæp-on ne rceapize. ne hir ralrer to rela on-zemanz ne zerape. Ne pýpo nærne polcer pire pel zepæde· ne pið Lod pell zebonzen· on þam eapoe be man poh-zertpeon y mært ralrer lurað. þý rculan Loder repeated all unpublic alectans 4 public appears 4 na zeparıan j guph ralı. A gab bop-seltheon men to lişige roppypcean hi rylre pið þæne piht-piran Lod. þe ælc unpiht Callum cpirtenum mannum zebýpeð. Þ hi piht lurian. 4 unpihe arcunian. 4 hupu zehadode men reżlon a piht pæpan. y unpiht aleczan. þý rculon birceopar mið populò-beman bomar bihtan. Þ hi ne zeþarian. zýr hir palban mazan. b been eenz unniht up-arppinge. And racendum zebýpeh eac on heona repirt-reinum h hi zeonne to pihte æthpam rýlrtan· y na zeþarian· zir hi hit zebetan mazan· p æniz chirten man odnum depuze ealler to rpyde ne re 'Quis vos audit,' &c.; and likewise: 'Quodcunque ligaveritis,' &c.; and likewise: 'Quorum remiseritis peccata remittuntur eis,' &c. Alibi etiam scriptum est: 'Quodcunque benedixeritis,' &c. Et psalmista terribiliter loquitur, dicens: 'Qui noluit benedictionem, prolongabitur ab eo.'" Such is to be borne in mind, and God's anger ever to be guarded against. Now we also earnestly enjoin every man to follow God's precepts, and his laws; then will he earn for himself eternal joy.

VII. LIKEWISE.

To a bishop belongs every direction, both in divine and worldly things. He shall, in the first place, inform men in orders, so that each of them may know what properly it behoves him to do, and also what they have to enjoin to secular men. He shall ever be [busied] about reconciliation and peace, as he best may. He shall zealously appease strifes and effect peace, with those temporal judges who love right. He shall in accusations direct the 'lad,' so that no man may wrong another, either in oath or in ordeal. He shall not consent to any injustice, or wrong measure, or false weight; but it is fitting, that every legal right, (both 'burh-riht' and 'land-riht,') go by his counsel, and with his witness; and let every burg-measure, and every balance for weighing, be, by his direction and furthering, very exact; lest any man should wrong another, and thereby altogether too greatly sin. / He shall always shield Christian men against every of those things which are sinful; and therefore he shall apply himself the more vigorously to everything, that he may the more readily know how the flock fares, which he has to tend from God's hand; that the devil may not too greatly ravage therein, nor too much of his falsehood sow among them. Never will the people's course be well directed, nor well assured with regard to God, in that country, where wrongful gain and most falsehood are loved; therefore should a friend of God suppress every unrighteousness, and exalt righteousness, and never consent that men, through falsehood, and through wrongful gain, too greatly foredo themselves before the righteous God, who shuns every unrighteousness. behoves all Christian men to love righteousness, and shun unrighteousness; and especially men in orders should ever exalt righteousness, and suppress unrighteousness; therefore should bishops, with temporal judges, direct judgments so, that they never permit, if it be in their power, that any injustice spring

maga þam unmagan. ne re heappa þam heanpan. ne re rcipman hir zinzpan. ne re hlaropo hir mannum. ne ropoan hir nýδ-þeopan. Be pær repirter dihte 4 be hir rylrer zemete. деbýneð mið pihte þ ба nýð-þeopan hlarendum pýncan oren ealle ba reine be he on repire. And pilt if be ne beo ænig mete-zýpò lenzne bonne oben ac be bær repirter zemete ealle zercyrte. y ælc zemet on hir renirt-reine. y æzhpylc zepihte. beo be hir dihte. zercýst spiče pihte. y zir čæn hpæt biræcer ry. reme re bircop. Dit bið ælcer hlaronder azen þeapr. Þ he hir nýð-þeopum býpze. rpa he becrt mæze. ronőam hi rýn Lode eren leore. 4 þa de rýndon rneolre. 4 ur ealle he zebohte mid zelican peopée. Ealle pe ryndon Loder azene nýd-þeopan. y rpa he zedemő ur rpa pe hen demad ham he pe on eondan dom oren azan. hy pe azan heanre в ре рат beongan ре ur reylan hypan. ponne zebide ре ре mane zebeonh æt Loder azenum dome:

VIII. ITEM.

Birceoper dæz-peonc.— p bið mid nihte hir zebeðu ænertg donne hir boc-peonc- næðing oddon nihting- lan oddon
leonnung- g hir cynic-tiða on nihtlicne timan- á be þam
þingum þe þæn-to gebýnige- g þeangena rot-þpeal- g hir
ælmer-zeðal- g peonc-pirung be þam þe hit neð rý. Eac
him zenirað hand-chærtar zoðe- p man on hir hipeðe chærtar
begange- hunu p þæn ænig to iðel ne punige- g eac him
genirð pel- p he on zemote- oft g zelome- zoðcunde lane
bæle þam rolce- þe he þonne mið rý:

IX. ITEM.

A genit birceopum pirom y pæpircýpe. y þa habban peopólice piran. þa þe heom rýlian. y ý hý rundop-chærta rumne eac cunne. Ne genireð ænig unnýtt ærhe mið birceopum. ne doll ne dýrig. ne to oren-dhuncen. ne cildrung on rpæce. ne idel gegar on ænig piran. ne æt ham. ne on riðe. ne on ænighe rtope. ac pirdom y pæpircipe gedareniað heona hade. y gedpihþa geniraþ þam ðe heom rýliað:.

up there. And on priests also it is incumbent, in their shriftdistricts, that they diligently support every right, and never permit, if they can ameliorate it, that any Christian man too greatly injure another; nor the powerful the weak, nor the higher the lower, nor the shire man those under him, nor the 'hlaford' his men, not even his thralls. By the confessor's direction, and by his own measure, it is justly fitting that the thralls work for their 'hlafords' over all the district in which he shrives. And it is right that there be not any measuring rod longer than another, but all regulated by the confessor's measure; and let every measure in his shrift-district, and every weight be, by his direction, very rightly regulated: and if there be any dispute, let the bishop arbitrate. It is every 'hlaford's' own advantage, to protect his thralls as he best may, because they and those that are free are equally dear to God, and he bought us all with equal value. We are all God's own thralls, and so he will judge us as we here judge those over whom we have judgment on earth: it therefore behoves us to protect those who are to obey us; then may we look for the greater protection at God's own judgment.

VIII. LIKEWISE.

A bishop's daily work.—That is rightly, his prayers first, and then his book-work, reading or writing, teaching or learning; and his church hours at the right time, always according to the things thereto befitting; and washing the feet of the poor; and his alms-dealing; and the direction of works, where it may be needful. Good handycrafts are also befitting him, that crafts may be cultivated in his family, at least that no one too idle may dwell there. And it also well befits him, that at the 'gemot' he oft and frequently promulgate divine lore among the people with whom he then is.

IX. LIKEWISE.

Wisdom and prudence are ever befitting bishops, and they have estimable ways who follow them; and that they also know some separate craft. Nothing useless ever befits bishops, neither extravagance, nor folly, nor too much drinking, nor childishness in speech, nor vain scurrility in any wise, neither at home, nor on a journey, nor in any place; but wisdom and prudence befit their order, and sobriety befits those who follow them.

X. INCIPIT DE SYNODO.

'Deus in adjutorium meum intende,' ter; 'Gloria Patri;' 'Kyrri eleison;' 'Pater noster;' 'Et ne nos inducas;' 'Adjuva nos Deus;' 'Adjutorium nostrum;' 'Benedicamus Domino;' 'Benedicite Bened'.'

Omnipotens Deus suavos clementia benedicat, et sensum in vobis sapientiæ salutaris infundat; catholice vos fidei documentis enutriat, et in sanctis operibus perseverabiles reddat; gressus vestros ab errore convertat, et viam vobis pacis et caritatis ostendat, quod ipse prestare dignetur.

Birceopum zebýpeš on rinoþe æpert-þinza þ hi rmeazan ýmbe annæðnerre y roše zeribrumnerre heom betpeonan y hu hi chirtendom mazan rýpimert anæpan y hæþendom rpýþort arýllan. y hæbbe ælc birceop canon-bôc to rinoše. Birceopum ir mýcel þearr ron Lode y ron populde þ hi pihtlice ánnæðe peopšan y ealle án lurian y zir man anum poh beode betan hit ealle. Birceopum zebýpaš þ ælc oðenne papnize zýr he hpæt be oðnum zehýpa oðse rýlr azýte y ælc oðenne bærtan pepize y nán oðnum hir þearre ne hele ac peoplöize ælc oþenne popder y dæde y beo rpa heom to-zebýpeð quari con unum et anima una:

Bijceopum zebýpeť. Þ rýmle mið heom rapan y mið heom punian pel zebunzene pitan. hunu racepðhaðer. Þ hi pið pæðan mazan. rop. Hode y rop populde. y Þ heona zepitan beon. on æzhpýlcne timan. pealð hpæt heom tiðe:

Birceopum zebýpeð. Þærne rý zoð lan on heona hipedumy beon þæn hi beon. beon á ýmbe pirdóm. y æzhpýlc zerleand heom unpýnd lætan:

Birceopum zebýpeš. Š hi ne beon to zliz-zeopne. ne hunda ne hareca hedan to prýše. ne populo-plence. ne idelne pence:

Birceopum zebýpeš. Þ hi ne beon to reoh-zeopne æt hadunge. ne æt halgunge. ne æt rýn-bote. ne on ænize piran on unpiht ne rthýnan:

Birceopum zebýpað. Zýr æniz oðnum abelge. Þ man zeþýldige oð zerenena rome. butan heom rýlre zepeonðan mæge. y na rceotan na to læpeðum mannum. ne ne rcendan na hýr rýlre: X.

OF THE SYNOD.

It is incumbent on bishops in the synod, first of all to consider about unanimity and true concord among themselves, and how they may, before all things, exalt Christianity and most effectually suppress heathenism. And let every bishop have the book of canons at the synod. It is greatly needful to bishops, before God and before the world, that they be all strictly unanimous, and all desire one thing; and if any man do wrong to one, let all see it compensated. It is the duty of bishops to warn each other, if one hear anything of another, or know anything himself; and let each defend other behind his back; and no one conceal from another what it behoves him to know, but let each honour other by word and deed, and be, as it is their duty, 'quasi cor unum et anima una.'

It is incumbent on bishops, that venerable 'witan' always travel with them, and dwell with them, at least of the priest-hood; that they may consult with them, before God and before the world, and who may be their counsellors at every time, betide whatever betide them.

It is incumbent on bishops, that there be always good instruction in their families, and, be they where they may, let them be ever [engaged] on wisdom, and let alone every triviality unworthy of them.

It is incumbent on bishops, not to be too prone to jesting, nor to care too much for hounds and hawks, nor worldly pomp, nor vain pride.

It is incumbent on bishops, not to be too eager for money at ordination, nor at consecration, nor at penance, nor in any wise to get wealth unjustly.

It is incumbent on bishops, if any one offend another, that he be patient until the arbitration of their associates, unless they can settle between themselves; and let them not refer to laymen, nor disgrace themselves. Birceopum zebýpač. zýr hpýlcum hpæt ezlize rpýče. þe he ne betan ne mæze. cýþe hit hir zerenum. y beon rýččan ealle zeopne ýmbe þa bote. y na ne zerpican æp hi hit zebetan:

Birceopum zebýneš. Þ hi ærne on ænine man cunt ne rettan. butan hý nýbe rcýlan. Zýr hit þonne æniz ron micclum zepýnhtum nýbe zebo. J man zebuzan nelle þonne zýt to nihte. Þonne cýše hit man eallum zerenum. J hi ealle þonne rettan on Þ ýlce. J him Þ cýšan. Zebuze þonne rýščan. J zebete þe beoppon. Zir he Isober miltre J bletrunze necce:

Birceopum zebýnač. F hi æzčen ze heona azene piran nihelice radian. Ze æleer hader men to nihe zemýnzian:

¹ Bırceopum zebýpað. Þ hi mið zeþýlde zeþolian Þ hi rýlfe zebetan ne mazan. oð Þ hit þam cýncze zecýþeð peopðe. y bete he rýððan hoðer æbýlhþe þæn birceop ne mæze. zir he koðer pillan pihte pýlle pýncean. y hir azenne cýnercipe pihtlice apæpan:

XI. BE CORLUM.

"Coplar y hepetozan y þar populó-deman y eac rpa zeperan azan nýð-þeapre þ hi piht lurian pop Gode y pop
populóe y nahpap þuph undóm pop reo ne pop rpeondreýpe
popyman heona pirðom ppa þ hi pendan unpiht to pihte
oðdon undóm deman eapmum to hýnde ac á hý reulan
cýpican open ealle oðne þing pýpðian y penian y pudepan,
y recop-cild hý reulon petan y þeaprena helpan y þeopetlingan beopgan zir hi Goder pillan pihte pillað pýpcan y

^{1&#}x27; "De episcopir Paulur bicit. Opontet enim episcopum inpeppehensibilem esse et cet.—Biscopum zebihad ealblice pîranj pistom. j pæpiscipe on popbum j on peopcum. j zepincda on
peapum. buton oren-mettum. Ne zepisad heom prita. ne ibele
pænca. ne micele oren-mettum. Ne zepisad heom prita. ne ibele
pænca. ne micele oren-mettum. Ne zepisad heom prita. ne ibele
pænca. ne micele oren-mettum. Ne zepisad heom prita. ne ibele
pænca. ne micele oren-mettum. Ne zepisad heom prita. ne ibele
pænca. ne micele oren-mettum. J bepencan heopa bæba
pissic j pæpisce. p hi adop ne beon. ne popber ne peopiser. ne ealler
to hipæbe ne to spide læte ac spa spa hit zepise sopham sod if p
ic secze. zelyre sepe pille heapiblic eopnost. j pissic pæpisipe. J ansealbe
pîse on fullan zepade bid pitena zehpiscum. peopolicie micle ponne
he his pisan. fon ænizum pinzum fazize to spide. j hupu ne zepised
bisoponum æspie ne æt ham ne on side to hizeleas sunuccisc G.]
pise ac pisom j peoposcipe zebaşenad heopa habe. j zebpihad zepisad
pam be heom fyliad."

It is incumbent on bishops, if aught greatly afflict any one, for which he cannot obtain 'bot,' that he make it known to his associates, and that they be then all diligent about the 'bot,' and cease not before they have obtained it.

It is incumbent on bishops, never to lay a curse upon any man, unless they are compelled by necessity; but if any one do it by compulsion, for enormous deeds, and the party will not yet yield to right, then let it be announced to all his associates, and then let them all lay on the same, and announce it to him; let him afterwards submit, and the more deeply make 'bot,' if he reck of God's mercy and blessing.

It is incumbent on bishops, that they both rightly direct their own ways, and admonish to right men of every order.

It is incumbent on bishops patiently to endure what they themselves cannot amend, until it shall have been announced to the king; and let him then get amends for the offence against God, where the bishop cannot; if he will rightly execute God's will, and righteously exalt his own kingship.

XL OF 'EORLS.'

"' Eorls,' and 'heretogs,' and these secular judges, and likewise reeves, have need to love justice, before God and before the world, and nowhere, through unjust judgment, for money or for friendship, neglect their wisdom, so that they turn injustice to justice, or adjudge unjust judgment to the injury of the poor; but it is their duty, above all other things, to honour and defend the church, and gladden widows and step-children, and help the poor, and protect slaves, if they

[&]quot;De episcopis Paulus dicit: Oportet enim episcopum inreprehensibilem esse, et cet.—To bishops are befitting venerable habits, and wisdom, and prudence in words and in works, and dignity in manners, without haughtiness. Pride does not become them, nor vain ornaments, nor great arrogance, nor sudden sadness, nor any heedlessness of word or work; but (what is worthy of them), that they always have venerable habits in all their actions, and bethink them of their deeds wisely and prudently, that they be, neither in word nor work, neither altogether too hasty nor very slow, but so as is becoming: for true it is what I say, believe it who will; stern severity, and wise caution, and a stedfast basis of mind, with great patience, and simple deportment, in full activity, will be to every 'wita' by much more worshipful, than that he, on any account, too greatly vary his manners. And to bishops especially, neither at home nor abroad, is a too careless [youthful] deportment becoming, but wisdom and dignity are suitable to their order; and sobriety is befitting those who follow them."

peopar y peod-preadan hi reylan hatian. y nýpenar y nearenar hi reulan hýnan. butan hý zerpican. y rýmle hý
reulon unjuht rpýde arcunian. rondam rod ir h ic recze. zelýre rede pille. pa dam de poh djurd ealler to lanze. butan
he zerpice. pitodlice he reeall dneran dimne y deopne hel-piter
znund. helper bedæled. Ac to lýt ir dapa. de h undenftande.
rpa rpa man reeolde. ac God hit zebete. ac do rheonda zehpýle eallrpa hit deapr ir. papinize hine zeopne. y beonze him
rýlrum. h he God ne abelze ealler to rpýde. ac cpeme hir
Djuhtne mid pihtliche dæde:."

XII. BE LEREFAN.

Riht if b zeperan zeopnlice týlian. I rýmle heopa hlaropoan renýnan mio pilite. ac nu hit ir zepopoen ealler to rpýče· rýččan Cadzan zeendode· rpa rpa Iod polde· β ma ir þæpa pýpepa þonne pihtpirpa· y ir eapmlic δing· þ δa rýndon nýpenar je rcolban beon hýpbar chirtener rolcer. Dý pýpab pa eapman butan ælcepe rcýlbe. obne hpile y hýnab þa heopoe pe hi rceoloan healoan y mio yrelan helan eapme men berpicaš. 4 unlaza pæpaš on æzhpylce piran. eapmum to hynde. y pydepan berthypad. opt y zelome. Ac hyllum man cear pirlice þa men on þeode- rolce to hýpdum- þe noldan ron populò-rceame. ne ne dopran ron Loder eze. æniz þinz rpician ne repýnan on únpihe ac repýndan mid pihee. y rýččan hit man rohte be þam ealpa zeonnart. þe neapplicart cuban rpician y berician. y mio learbhezoum eanmum mannum depian. 4 or unbealarullum paport reoh zenæcan. rýččan man znemede Год грубе þeaple. от у zelome. у pa bær zertneoner bam be hir mært harab on unniht zerchýned bucan he zerpice y de deoppon zebece ron Irode y ron populde:

XIII. BE ABBODUM.

"Riht if h abbodar. I hunu abbadiffan. pærte on mýnfrium ringallice punian. I geopne heona heonda rýmle begýman. I sa heom pel býrenian. I pihtlice bodian. I nærpe ýmbe populò-capa. ne idele prýda. ne capian to rpýde. ne ealler to gelome. ac ortort hi abýrgian mid godcundan neodan. rpa gebineð abbodan I munuchader mannum:" will rightly execute God's will; and thieves and public depredators they shall hate, and spoilers and robbers they shall condemn, unless they desist; and they shall ever rigidly shun injustice; for true it is what I say, believe it who will: woe to him who practises wrong too long; unless he desist, verily he shall traverse the dim and dark abyss of hell, of help deprived: but too few are there of those who that understand, as a man ought, but may God amend it; and let every friend do as is needful, let him diligently take heed, and guard himself, so that he anger not God too greatly, but propitiate his Lord with righteous deed."

XII. OF REEVES.

It is right that reeves zealously provide, and always rightfully gain for their lords: but now it has been altogether too much the case, since Edgar ended, so as God willed it, that there are more robbers than righteous; and it is a grievous thing, that those are robbers who should be guardians of a Christian people. They rob the poor without any blame, and at another time devastate the flock that they ought to keep, and with evil pretexts defraud poor men, and set up unjust laws, in every wise, to the injury of the poor; and oft and frequently strip But whilom those men were chosen wisely in the nation, as guardians of the people, who would not, for worldly shame, nor durst, for fear of God, obtain anything by fraud, or make gain unjustly, but ever gained with justice: and since that it has been sought, by means of those above all, who knew how, most oppressively to cheat and deceive, and with falsehoods to injure poor men, and most speedily to get money from the innocent, since then God has been exceedingly much angered, oft and frequently; and woe to him, for his money, who has gained most of it by injustice, unless he desist, and the more deeply atone, before God, and before the world.

XIII. OF ABBOTS.

"It is right that abbots, and especially abbesses, constantly dwell closely in their minsters, and ever zealously take care of their flocks, and always set them a good example, and rightly preach, and never about worldly cares, or vain pride either care too much or altogether too frequently; but oftenest busy themselves with ecclesiastical needs, as befits abbots and men of monkish order."

XIV. BE WUNELUW.

"Riht if b munecar. bæger i nihter. inpeanone heoptan. а то Lobe pencan. у деоринсе clypian. у mid eallum eadmeðum pegollice libban." y hý rýmle arýndpian rpam populo-býrezan. rpa hi zeopnoru mazan. 4 don rpa heom peanr 17. capian ærne hu hi rpybort magan Itobe zecpeman. 4 call \$\beta\$ zelærcan. \$\beta\$ hi behetan. \$\beta\$ hi had undergrenzon. "rýlian heona bocum y zebebum zeonne." leonnian y læpan. rpa hi zeopnoje mazon. "y æzhpýlce plence. y idele pence. y rýndpize æhte. y unnýtte dæde. y untid-rpæca. rophozian mid-ealle. rpa zebýneš munecum." Ac hit ir ýrel roš. rpa hit pincan mæg. prume rynd to plance. y ealler to pance. y to pid-repulsole. 4 to unnytte. 4 ealler to idele ælcene zodδæδe• y το mán-δæδe• on býpnlican zalrcýpe• inne aiblobe• y ute apıldode. And rume ryn aportatan be recoldan. zyr hı poloan· peran Goder cempan· ınnan heona mynrcpan· þ rýnd

Eala?

populbe:

*heopsa? þa þe *hýpsar apuppan. 4 on populs-þingan punias mis rýnnan. *Call hit papeš ýpele ealler to pide. Spa ppýše hit pýpraš pide mid mannum. Þ þær hader men þe þunh Iroder ege hpýlum pæpon nýttorte. y zerpincrullerte. on zoocundan þeopbome. y on boc-cpærte. þa rýnbon nu pel ropð unnýttarte zepelhpæn. 4 ne rpincab a rpide ýmbe ænize þeapre. rop Lode ne ron populõe. ac maciao eall be lurte. 4 be epnerre. 4 luriao orenpirce 4 idele plille. bolirg A baudinag. A ealue oxi tleaudiad rpelliad y rpiliad. y nænize note dpeogad. Dæt ir lablic lif by hi rpa maciab. eac hit if he pypre. he ealbhar hit ne betað, ne rýlre rpa pel rapað rume rpa hi rceoldan. ac pe agan neobe. F pe hit gebetan. rpa pe geonnort magan. y peonőan anmode to zemæneliche beante- ron Lode y ron

XV. BE OYNELENAN.

"Riht if b mynecena mynrtenlice macian erne rpa pe cpæbon æpop be munecan. 14 ne *topettan populo-mannum. * Qu. ? ne ænize rundop cýdde to heom habban ealler to rpide." ac a pezollice libban. y hi rýmle arýnopian rpam populobýrezan· rpa hi zeopnort mazan:

^{1/&}quot; 7 nærne pið poplo-men ænize zemanan poploliche cydde habban to spide."

XIV. OF MONKS.

"It is right that monks, by day and by night, with inward heart, ever think on God, and earnestly call upon him, and, with all humility, regularly live," and always separate themselves from worldly occupations, as they best may, and do, as is their duty, ever care how they best may propitiate God, and all that perform which they promised, when they took order; "to attend diligently to their books and prayers," to learn and to teach, as they best may; "and every pomp, and vain pride, and separate property, and useless deed, and untimely speech wholly to despise, as is befitting monks." But it is truly an evil, as may be supposed, that some are too arrogant, and altogether too proud, and too widely erratic, and too useless, and altogether too idle in every good deed, and with regard to an evil deed, in secret profligacy, inwardly heartless, and outwardly indignant. And some are apostates, who ought, if they would, to be God's soldiers, within their minsters; such are those who have cast off their *shepherds, and who continue in worldly affairs, with *flocks? It *all goeth ill altogether too widely. So greatly doth *alas? it widely become worse among men, that those men in orders, who, through fear of God, were whilom the most useful, and most laborious in divine ministry, and in bookcraft, are now almost everywhere the most useless, and never labour strenuously on any thing needful before God or before the world; but do all for lust and for ease, and love gluttony, and vain pleasure, stroll and wander, and all day trifle and talk and jest, and do nothing useful. That is a hateful life that they so lead; it is also the worse, that the superiors do not amend it, nor some conduct themselves so well as they should; but it is our duty to amend it, as we most diligently may, and to be unanimous for the common need, before God and before the world.

XV. OF MYNCHENS.

" It is right that mynchens behave monastically, even as we before said of monks, and not associate with secular men, nor too intimately have any separate acquaintance with them," but ever live according to their rule, and always separate themselves from worldly occupations, as they most diligently may.

[&]quot;and never with secular men have too intimately any community of worldly acquaintance."

XVI. BE PREOSTAN 7 BE NUNNAN.

"Riht if p ppeoftar y eren pel nunnan pegollice libban. y clænnýrre healdan. be þam þe hi pillan on mynrthan gepunian. obbon rop populde peopbreyper pealdan:"

XVII. BE DUDEDAN.

"Riht if pybepan Annan býrenan zeopnice rýlian. reo pær on temple. bæzer y mihter. þeopiende zeopne. heo pærte rpýbe þeaple. y zebedum rýlizde. y zeompiendum mode clýpode to Epirte. y ælmerran bælde. ort y zelome. y áá Irode zecpembe. þær þe heo mihte. popder y bæde. y hærð nu to eðleane heoronlice mýphðe. Spa rceal zóð pýdepe hýpan hýpe Dpihtne:"

XVIII. BE LODES DEOPUO.

Leoran men. 1c bibbe. zehýpab hpær 1c pýlle reczan. þuph Loder zýre· ur eallum to beanre· zecnape rebe cunne· 4 ic biòòe eop leoran men. dod rpa ic læne. hlyrcad rpyde zeonne. hpæt ic nu recge. Eallum chiptenum mannum if mýcel þeapf. p hi Loder laze rýlizean. 4 zodcundne lane zeopnlice zýman. 4 hunu zehadodum ir ealna mært þeanr. rondam þe hi rceolon ægően ze bodian ze býrnian Loder niht zeonne oбnum man-Nu pille pe lænan Loder þeopar zeopne. Þ hi hý rýlre pæplice behencan. 4 duph Loder rultum clænnýrre lurian. 4 Lobe Elmihazum eadmoblice peopian. 4 rop eall chipten role þingian gelome. 4 h hi bocum 4 gebeðum geopnlice rýlizean· y bodian y bỳrnian Lober piht zeopne· y ₺ hi læpan zelome. rpa hi zeopnort mazan. F zehadode menn pezollice libban. 4 læpede lahlice heona lir radian. to þeanre heom rýlrum. And gir hit zepeonde p rolce mirlimpe. bunh hene objon hungen bunh repic obbe recopran bunh unpærem obbe unpeden. bonne pædan hi zeopne. hu man bær bote rece to Epirte mid clænlicum rærtenum y mid cýpe-rocnum y mid eadmedum benum. 4 mid ælmer-rýlenum. And ærne hi rýlre beon heom zehpæpe. y ppide annæde. ron Irode y ron populde. rpa rpa hit appiten ir. Quari con unum et animam unam habencer. And zyr mærre-preort hir agen lir nihtlice radigepeaxe hir pýpőrcýpe. 4 zýr he eller 60. zebete hit zeonne:

XVI. OF PRIESTS AND NUNS.

" It is right that priests, and equally well nuns, live according to their rule, and preserve chastity, as they desire to dwell in a minster, or command respect before the world."

XVII. OF WIDOWS.

"It is right that widows earnestly follow the example of Anna, who was in the temple day and night, zealously serving: she fasted very often, and was devoted to prayers, and with groaning mind called to Christ, and distributed alms, oft and frequently, and ever propitiated God, as much as she was able, by word and deed, and has now for reward heavenly mirth. So should a good widow obey her Lord."

XVIII. OF GOD'S SERVANTS.

Beloved men, hear, I pray, what I wish to say, through God's grace, for the need of us all, understand who can; and I pray you, beloved men, do as I enjoin; list very earnestly what I now say. To all Christian men it is much needful, that they follow God's law, and earnestly attend to divine instruction; and to men in orders especially it is of all most needful, because it is their duty earnestly both to preach and to exemplify God's righteousness to other men. Now will we earnestly enjoin God's servants, that they carefully bethink themselves, and, through God's support, love chastity, and humbly serve God Almighty, and frequently pray for all Christian people, and that they diligently attend to books and prayers, and earnestly preach and exemplify God's righteousness, and that they enjoin frequently, as they may most diligently, that men in orders live according to their rule, and laymen lawfully direct their lives to their own benefit. And if it happen that misfortune befall the people, through an army, or famine, through plague, or mortality; through barrenness, or storm; then let them earnestly consult how amends for this may be sought from Christ, with pure fasts, and with frequenting churches, and with humble prayers, and with almsgivings. And let them be always in harmony with themselves, and very unanimous, before God and before the world, so as it is written: Quasi cor unum et animam unam habentes, And if a mass-priest rightly direct his own life, let his reverence increase; and if he do otherwise, let him earnestly make atonement.

XIX. BE SALERDUO.

"Sacendar rculan on heopa repurt-respum pirlice y peoplice læðan y læpan þa zoðcunðan heopða þe hi healdan rculan. Æzően hi rculan ze pel bodian ze pel býrnian" oбnum mannum. y æzően hi reylon æt Irober bome zerceab azylban. ze heona rylppa bæba. ze ealler þær rolcer þe hi to Irober handa healdan rceolan. 4 zýr hi aht zedon rcýlon. ne mazon hi pandian. naben ne ron ege ne ron lure æmiger manner. \$\bar{b}\$ hi piht ne bodian y unpiht ropbeodan. Pac bý δ re hýpde æt ralbe *nyt. be nele ba heonde be he healdan rceal mid hpeame bepepuan. butan he eller mæze. zýr þæp hpýlc þeoð-ræaþa Nýr nan rpa ýrel rceada rpa 17 deorol rceadian onzinneb. rýlr he biổ ấấ embe pan hu he on manna raplum mærc zerceahan mæze. Donne motan þa hýpðar beon rpýðe pacopey zeopne clýpienée. je pro jone jeod-rceajan zercýloan rculan. Dæt ryndon birceopar 4 mærre-pneortar þe zodcunde héonde zepapian 4 bepepian reulon mid pirliche lape. Đỳ he ne mæz pandıan. zýr he him rýlrum zebeonzan rceall. napon ne ron lure ne rop eze. I he mannum I pubterte ne recze. Ne mæz he pandian. naton ne ron heanum ne ron picum. rontam ne ded he naht. eapgie he odbon hine ropresamize niht to rppe-Capme zeræpeð he. zir þuph hir hnercnýrre reo heono roppupo. be he healdan rceall. y he rylr rono mid. Deah une *heonda hpylc an rceap ronzýme pe pillad p he hit ropzylde. y pær zerapad bonne ær Iroder ezerlican dome þa hypoar be ne cunnon zehealdan ba zodcundan heopda. be Epirc mid hir agenum lire gebohte. 4 be hi healdan recoldan gir hi cuban. ac napop puph laplearte hine cunnon ne læban. ne læpan. ne lacman hi piltilice. Wid hpam pene pe ropgýldað hi hi bonne. Pa heom bonne b hi ærne underrenzon b hi zehealban ne cubon. La hu mæz blind man obenne læban. hu mæz unlæped déma odepne læpan. Pa þam pitodlice. þe zodcunde heonde undeprehő. y napen zehealdan ne can. ne hine rýlrne· ne þa heonde þe he healdan rceolde· у рупг þam þe can y nele. Cala eala rela ir pæpa pe racepohader on unpilit zýpnað. rpa hit þincan mæz. rpýðort fon idelum zýlpe. 4 ron zitrunze populò-zertpeona. 4 ne cunnon na p hy cunnan rceoldan. Be ham *cpæb re piteza. 4 bur cpæb. Pe racenbotibur. qui comedunt peccata populi et pl. Pa pan racenbum· he cpæδ· þe rpecað y roprpelzað rolcer rýnna· β rýndon pa če nellač. očče ne cunnon. oččon ne duppon rolc pič rýnna zepannian· y rýnna zertýnan· ac zýnnač þeah heona rceatta

* *l*. hýpba.

* nýb?

* L rppæc.

XIX. OF PRIESTS.

" "It is the duty of priests, in their shrift-districts, wisely and prudently to lead and teach the spiritual flocks, which they have to keep. They shall both well preach, and give good example to other men;" and they shall, at God's judgment, both give an account of their own deeds, and altogether of the people's whom, at God's hand, they have to keep; and if they shall have done aught, they may not flinch, neither for fear, nor for love of any man, from preaching righteousness and forbidding unrighteousness. Weak is the shepherd at the need of fold, who will not with his cry protect the flock that he has to keep, (unless he otherwise can,) if there any public robber begin to rob. There is none so evil robber as is the devil himself; he is ever [busy] about that one thing, how he, among men's souls, may most devastate. Therefore must the shepherds be very watchful, and earnestly calling, who have to shield against the public spoiler. Those are bishops and mass-priests, who shall defend and protect the spiritual flock with wise instructions. Therefore he may not flinch, if he will secure himself, neither for love nor for fear, from saying to men what is most right. Nor may he flinch either before the lowly or the powerful, because he doeth naught, if he fear or be ashamed to speak righteousness. Ill will he fare, if through his lack of energy, the flock perish, which he has to keep, and himself along with it. Though any of our shepherds neglect but one sheep, we desire that he pay for it; but what, at God's awful judgment, shall then betide those shepherds, who cannot keep those spiritual flocks, that Christ bought with his own life, and which it is their duty to keep, if they can, but, through ignorance, can neither lead, nor instruct, nor heal them rightly. With what do we expect they shall then pay for them? Woe to them then, that they ever undertook what they could not keep. Lo, how can one blind man lead another? How can an unlearned judge instruct another? Woe then to them who undertake a spiritual flock, and can neither take care of themselves, nor of the flock that they should keep; and worse to those who can and will not. Alas, alas, there are many of those who unrighteously desire the priesthood, as it may seem, chiefly for vain pride, and for craving after worldly gains, and know not that which they ought to know. Of whom the prophet spake, and thus said: Wæ sacerdotibus, qui comedunt peccata populi, et rel. 'Woe

* del.?

on teopungum. 4 on eallum cynic-zepihtum. 4 nacon ne hi mio byrnungum pel ne læbað. ne mio bodungum pel ne læpað. ne miò bæbbobum pel ne lacniato ne miò gebebpæbenne pope ne þingiað- ac læccað or manna begeatum *loc hpæt hi gerón mazan eallypa zýrne hnemnar or holde dod bæn þæn hi tomazon. Dit ir ealler be pypre ryööan hy hit ealler habbaö. ponne ne ateod hi hit na rpa rpa hi rceoldan. ac zlenczad heopa pir miò pam pe hi peoroba rceolòan. y maciao eall heom rylrum to populo-plence. I to idelpe pence. I hi Isode recoldan don to peopõunge- on cypiclicum þingum- o**ððon on** eanmpa manna hýððum. oððon on hep-numena býzenum. obton on rumum bingum. be milite to langrumene teapreæzden ze heom rýlrum. ze eac ham he heom on Loder ert heona þing rýllað. Donne ir mýcel þeapr. Þreþe æp öirrum miroyoe. p he heonon-rond hit zeonne zebete. undenreande reje cunne. mýcel ir 4 mæne pracend ah to donne polce to peante gir he hir Dnihtne zecpemb mid puhte:

Oycel ir reo halrung. I mæne ir reo halgung þe beorla arynrað. 4 on rleame zebninzað. rpa ort rpa man rullað. obpon hurel halzab. y enzlar þæn hpeanriab. y þa bæba bepeandiad. 4 duph I oder mihra ham racendum rylrtad. ppa ort rpa hi Epirte peniao mio pilite. I rpa hi doo rymle rpa ort rpa hi zeopnlice innepeapôpe heoptan clýpiač to Epirte. J ron rolcer neode bingiab geonne. 4 bi man reeall ron Loder ege mæþe on haðe gecnapan mið rerceaðe:

La leor- deope ur ir beboden- p pe zeopulice mynegian y læpan reylan. I manna zehpýle to Lobe búze. 4 rpam rýnnum zecýppe. Se cpýde 17 rpýde ezerlic þe Γιοδ þunh þone pitezan be þam cpæð. þe Iroðer rolce pilt boðian rculon. Þ ryndon birceopar y mærre-pheortar. De cpæb be þam. •necerre ere? Elama *necerrer quari tuba• et pl. Elypa hlude y ahere up pine rtemne rpa hlude rpa býme. 4 zecýť minum rolce hit rpam rýnnum zecýppe. zýr bu fonne b ne dert. ac roprpugart hit. y nelt polce hir þeapre zecýðan. þonne ræalt ðu ealpa čæpa rapla on domer-dæz zercead azýldan. þe þunh þ loriado pe hi nabbad pa lane y pa mynegunge pe hi bepongtan. Der cpyde mæz beon rpyde zemyndelic eallum fam je to

to the priests,' he said, 'who devour and gorge the sins of the people,' &c. Such are those who will not, or cannot, or dare not warn the people against sins, and correct sins, but desire, nevertheless, their monies for tithes, and for all church-dues, and neither lead them well by examples, nor instruct them well with preachings, nor well heal them with penances, nor intercede for them with prayer, but seize from men's gettings whatever they can grasp, just as greedy ravens do from the corpse, wherever they can light upon it. It is all the worse when they have it all, for they do not dispose of it as they ought, but decorate their wives with what they should the altars, and turn everything to their own worldly pomp, and to vain pride, that they should do for the honour of God, in ecclesiastical things, or for the advantage of poor men, or in the buying of war-captives, or in some things that might be for lasting benefit both to themselves and also to those who give them their substance for the favour of God. It is therefore very needful, that he who hath ere done amiss, henceforth make amends diligently; because, understand who can, much it is and great that the priest has to do, for the people's need, if he will justly propitiate his Lord.

Much is the supplication, and great is the hallowing, which sendeth away devils and putteth them to flight, as often as baptism is performed or housel hallowed: and holy angels hover there around, and protect the deeds, and, through God's powers, support the priests, as often as they rightly minister to Christ; and so they always do, as often as they earnestly, with inward heart, call to Christ, and fervently intercede for behoof of the people; and, therefore, for fear of God, rank is discretely to be acknowledged in holy orders.

O beloved, solemnly are we commanded, that we should earnestly admonish and teach, that every man incline to God, and turn from sins. The saying is very terrible that God spake, through the prophet, concerning those who should preach righteousness to God's people; those are bishops and masspriests; He spake concerning them: 'Clama necesse est quasi tuba,' et rl. 'Cry aloud, and raise up thy voice as loud as a trumpet, and announce to my people, that they turn from sins:' but if thou do not that, but silently neglect it, and will not announce to the people what is needful to them, then shalt thou, on doomsday, answer for all those souls which perish, because they have not the instruction, and the admonition

dam zerette rýn. h h Iroder rolce piht bodian rculan. y rolc ah eac mýcele þeapre. h hi pæpe beon þær cpyder þe þæpærtep zecpeden ir. De cpæð re piteza ærtep þam. Iri du rolce piht bodart. y du hit zebizean ne miht to pihte. þonne zebýphrt du þeh þinne azenne raple. y reþe poh dpirð. y zerpican nele. he rceal habban þær éce pite. h ir h hi þonne rceolan to helle rapan. mið raple y mið lichoman. y mið deorle punian on helle pitum. Da þam þe þæp rceall punian on pitum. him pæpe betepe h he nærne on peopulde man ne zepupde þonne he zepupde. Nir re man on lire þe apeccan mæze ealle þa ýpmða þe re zebiðan rceall. reðe on þa pitu ealler behpeoreð. y hit ir ealler þe pýpre þe hir æniz ende ne cýmð nærne to populde:

XX. *AD SALERDOTES.

La leope undengtandad eop pýlpe- y lupiad y peophiad Iod Elmihtigne open ealle odne þinc- y healdad hip beboda geopne. And lupige eopen ælc obenne pihtlice- y beo ælc odnum on helpe- pon Iode y pon populde. Libbad heononpopid pegollican lipe- pecad eoppe cýpican- y zerýllad eoppe tida áá on zepetne timan. Læpad cpipten polc zeopne- y lacniad hit zeopne:

XXI. AD SALERDOTES.

• L roöne.

Tæcað cyntenum mannum zeonne y zelome puhtne zelearan. y ß hi cunnon heona cyntendomer y heona rulluhter zercead pitan. An zeleara ir on ænne "roðe hoð. y an rulluht pe habbað ß pe rculon pihtlice healdan. Se zehealt hir rulluht pihtlice reðe zehealt hoder beboda. y ronbuhð deorler únlanum. y re abpecð hir rulluht y ronpýncð hine rýlrne reþe abpecð hoder bebodu. y rulrýlizð deorler unlanum. Hoð Elmihtiz ir þeah rpa mildheont. B he pile zemiltriam þam þe rpam rýnnum zecýnð. zýr he mið npeandne heontan hpeoprunze to dædbote zecýnð. y zeonnlice bet ß he to unpihte zedýde. Sýnruller manner læcedom ir ß he andette y bete zeonne. y ærne zerpice. Utan pe don rýlre. rpa

^a This is chapter xxI. in the MS.; chapter xx., entitled 'Sinodalia Decreta,' consisting solely of Edgar's Canons, being, of course, omitted.

which they need.' This saying may be very monitory to all those who are appointed for the purpose of preaching righteousness to God's people; and people have also much need that they be mindful of the saying which is afterwards uttered. He, the prophet, saith afterwards: 'If thou preach righteousness to the people, and thou cannot incline them to righteousness, then thou, at least, securest thine own soul; and he who perpetrates wrong, and will not desist, shall have therefore eternal punishment.' That is, that they shall then go to hell, with soul and with body, and with the devil dwell in helltorments. Woe to those who there shall dwell in torments, better were it for him that he had never become a man in the world, than that he became one. There is not the man living who can recount all the miseries which shall await him, who falleth wholly into those torments; and it is altogether the worse, that no end thereof cometh ever to all eternity.

XX. TO PRIESTS.

O beloved, understand yourselves, and love and honour God Almighty above all other things, and zealously keep his commandments. And love each other righteously, and be a help to each other, before God, and before the world. Live henceforth a regular life, attend your churches, and observe your canonical hours always at the appointed time. Instruct Christian people diligently, and heal them diligently.

XXI. TO PRIESTS.

Teach Christian men earnestly and frequently right belief, and that they may know the distinction of their Christianity and their baptism. One faith there is in one true God, and one baptism we have, which we should righteously hold. He righteously holds his baptism, who holds God's commandments, and eschews the wicked precepts of the devil; and he violates his baptism, and foredoes himself, who breaks God's commandments, and follows the wicked precepts of the devil. God Almighty is, nevertheless, so merciful, that he will be merciful to him who turns from sins, if he, with inward heart's repentance, turn to penance, and earnestly amend what he did unrighteously. The medicine of a sinful man is, that he confess,

b Here follow in the Ms. chapters IV.—IX., 'Of Penitents,' (see pp. 278-281.), which it is unnecessary to repeat.

ur mýcel þeapr ir healdan Itoder beboðu y býrman y boðiam geonne þæpe heonde þe ur betæht ir. Dunh þ pe reulon oðnum mannum aht premian þe pe Itode geonnlice henan. Du mæg æmig man oðnum premian oððon to hir hlaronde oðnum þingian gir he hir hlaronde rýlr hærð rpiðe abolgen. Du mage pe eac oðnum mannum to Itode þingian butan pe ur beongan þ pe him ne abelgan. Ac utan cpeman Itode Ælmihtigum mið clænum geþance yægðen ge on pondum ge on peoncum ge on eallum dæðum dheogan hir pillan þonne magon pe ægðen ge ur rylrum pel rnemian ge eallum cnirtenum mannum:

Leofan men. dod fpa ic eop. fon Goder luran y fon Sca del? Wapian eac. *ic didde. Zemunad me on eophe Zededpædenney helpad min. fpa ic mycele beapre ah. y beod me Zeappe to
upe Zemænan beapre. fpa oft fpa ic eop habban pylle. Dit
Zedyped eop f ze me Zeappe beon. fpa fyn fpa nyn. fpa
hpæben ic pille. y f ic hupu pille. f pe heonan-fond ælce Zeape
rume fide uf zefomnian tozædene ymbe upe Zemænan beapre.
Dod fylre pel. y læpad pel bam be ze læpan fculon. f hi
zeopne to zode don fpa mycel fpa hi mæft mazan. bonne helpe
ze pel bam be ze læpad. Jif hi eophum lanum fylizean pillad.
y hupu ze zedeonzad eop fylrum. God Elmihtiz helpe upey Sca Wapia. y zefultumie uf eallum. f pe æzden ze uf fylreze ba be pe pijian fceolan. fpa zepijian motan. fpa fpa upe
ealpa beapf fy:

XXII. BE LÉPEDUCO COANNUCO.

"Riht if \$\beta\$ zehadode men bam læpedum piran hu hi heona æpe juhtlicoft reulon healdan. Dæt bid juhtlic lif \$\beta\$ eniht puphpunize on his enihthade. od \$\beta\$ he on pihtne mæden-æpe zepirize. \$\beta\$ habbe ba \$\beta\$ y\dots\and \gamma\$ nænize odne. \$\beta\$ hpile be seo libbe. \$\frac{1}{2}\$ hine bonne sop\angle-sid \gamma\$ deah. be bær apostoler lease. læpede man mot sop neode odne side pisian. ac ba canoner sopbeoda\$ ba bletsunza bæp-to. be to spum-pisunze zesette \$\beta\$n. \$\gamma\$ eac if zeset dæddot spylcum mannum to donne. \$\gamma\$ pieoste if sopboden \$\beta\$ he beon ne mot. on bam pisan \$\beta\$ he æp pær. æt bam bpyd-lacum bæp man est pisað. Be þam man mæz pitan \$\beta\$ hit eallunza piht nis \$\beta\$ pep pisize. odbon pis ceoplize.

l zecimize

and earnestly atone, and ever cease from sin. Let us ourselves do as is much needful to us, hold God's commandments, and set example, and earnestly preach to the flock that is committed to us. By zealously obeying God, we shall thereby somewhat benefit other men. How can any man benefit another, or intercede with his lord for another, if he have himself greatly offended his lord? How can we also intercede with God for other men, unless we so guard ourselves, that we do not offend him. But let us propitiate God Almighty with pure thought, and, as well in words as in works, and in all deeds, perform his will; then may we both well benefit ourselves, and all Christian men.

Beloved men, do as I, for love of God and Saint Mary, beseech you; remember me in your praying, and help me, as I much need, and be ready to me for our common need, as often as I desire to have you. It behoves you to be ready to me both far and near, whichever I desire; and this, at least, I desire, that we henceforth, at some time every year, assemble together for our common need. Do well yourselves, and well teach those whom ye have to teach, that they earnestly do good as much as they most can; then ye well help those whom ye teach, if they are willing to follow your instructions, and, at least, render yourselves secure. God Almighty and Saint Mary help us, and support us all, that we may so guide both ourselves and those whom we have to guide, as may be for the benefit of us all.

XXII. OF LAYMEN.

"It is right that men in orders direct laymen how they shall most rightly hold their conjugal state. It is a proper life, that a bachelor continue in his state of bachelor, until he take a wife in lawful maiden matrimony; and have her afterwards, and none other, as long as she lives; but if it happen that she dies, then is it most proper, that he thenceforth remain a widower; though, by the apostle's leave, a layman may, for need, marry a second time, but the canons forbid the benedictions thereto, which are appointed to a first marriage; and penance is also appointed for such men to do; and it is forbidden to the priest to be, in the manner he ere was, at the marriage, when a man marries again, or to give the benediction, which belongs to a first marriage. By this it may be known,

orton bonne æne. I hunu hit býð to mænizreald. zepýnde hit briddam ride. I mid-ealle mirdon. zepýnde hit orton. I þeah læpedum mannum pir rý alýred. Þeah hi azon keapre. I hi undenrtandan hu hit ir alýred. Nazon læpede men rneolrtíðum ne rærten-tíðum. Þunh hæmed-þinz. pirer zemanan. Þe ma þe heah-hader men I þinz azan ænizum timan:"

XXIII. 1BE LEPADEDUM MANNUM.

"Lehabebum mannum zebýpeb ælc clænner roppam þe hi rculon eallum obnum mannum ælce unclænnerre ropbeoban. 4 ælce clænnerre. zir hi piht 608. hi rculon be heom rýlrum zeopnort zebýrnian. bonne ir hit rpýbe ezerlic. b ba be rcoldan eallum chiftenum mannum piht bodian. 4 eac pel býfnian. 🧗 hi rýn rume zepondene býren to roppýnde rpýdop þonne to peapre. Prýndon pa æp-bpecan. Pe puph healicne had cipicжре undenrenzan. ч губбан равржсан. Nir nanum реогодbene alyred be he pirian more ac ir ælcum zopboden nu ir beah bæpa ealler to rela be bone æpbnýce pýncab. A zeponht habbaő. ac ic bibbe. rop Lober luran. y eac connortlice beobe. b man bær zerpice. Læpedum men ir ælc pir ronboden. butan hir niht sepe. Iehadode ryndon rume rpa buph deorol berpicene h hi piriad on tinpiht. 4 roppýpcad hi rýlre. þuph pone æpbnýce pe hi on-puniato ac ic biobe zeopne. P man þær monder heonon-rond zeonne zerpice. Linic ir facender æpe:." 2

Constantinus se mæne casene zeramnode spyde mýcelne sinod on þæne ceastre Nícea. son thýmmingse nihter zeleasan. On dam sinode pænon .ccc. 4 .xviii. biscopa. os manegum leodscipum zezadenode. 4 hi þæn zesputeloden nihtne zeleasan. 4 zesettan þa. þær to sputelunge. Þone mæssan chedan. Þe man pide singð. 4 cýput-þenunga heo sægene

2" Nah he mis pihte ænige oppe- poppam ne zebipas racepsan nan pinge- nasop ne to pipe- ne to poplo-pige- zir he Liobe pillas pihtlice hypan- j Liober laze healsan- ppa ppa heopa hase zesarenas mis pihte." G. add.

^{1 &}quot;Callum cpirtenum mannum if micel peaps. I hi piht lusian. I unpiht arcunian. I hupu zehabebum if pær mært peaps. Pe æzőep rculon. Ze pel bobian. Ze pel birnian oðpum mannum." D., where it is the beginning of the chapter.

that it is altogether not right that a man take a wife, or a woman a husband oftener than once; and, at all events, it is too frequent, if it take place a third time, and altogether sinfully done, if it take place oftener: and though a wife be allowed to laymen, yet it is necessary that they understand how she is allowed. Let not laymen at feast-tides and fast-tides have connexion through concubinage with woman, no more than men of sacred orders may at any time."

XXIII. OF MEN IN ORDERS.

"To men in orders is fitting all chastity, because it is their duty to forbid every unchastity to all other men, and of all chastity, if they do rightly, they ought in themselves zealously to set an example; for it is very terrible, that they, who should preach righteousness to all Christian men, and also give a good example, are some become an example for perdition rather than for benefit: those are the adulterers who, through holy orders, have entered into an ecclesiastical marriage, and afterwards broken it. To no minister of the altar is it allowed to marry, but it is forbidden to every one; yet there are now altogether too many who commit and have committed adultery; but I pray, and, for love of God, earnestly command, that this may cease. To a layman every woman is forbidden, except his lawful wife. Men in orders are some so deceived by the devil, that they marry unrighteously, and foredo themselves by the adultery in which they continue; but I earnestly pray, that this deadly sin may henceforth carefully be abstained from. The church is a priest's spouse."

Constantine the great emperor assembled a very great synod in the city of Nice, for confirmation of the true faith. At that synod there were cccxviii. bishops gathered from many nations, and they there published the true faith, and established then, in manifestation thereof, the mass creed, which is widely sung, and the church services they excellently directed, and many

[&]quot;To all Christian men it is very needful to love righteousness, and shun unrighteousness, and to those in orders it is especially most needful, who should both preach good and give good example to other men."

He has not lawfully any other, because neither a wife nor secular war are in any way befitting a priest, if he will rightly obey God, and hold God's law, as is properly becoming to their order.

zebihtan. 4 mænize odpe binz. æzden ze be Loder beopum ze be Lode rýlrum. Dý cpædon þæn ealle anpædlice. I hit piht pæne. Zik peokog-þen. þir pikcob. ogge mælke-bleoke. ogge biacon zepirobe. b he bolobe ærne hir haber. y amanrumob pupde. buton he zerpice. 4 de deoppop zebete. Feopen rynotar pæpon zeramnote rop pilvan zelearan ýmbe þa Dalgan Dhýnnýrre y ýmbe Epirter mennircherre. Se ropma pær on Nicea· y re oben pær rýbban on Conftantinopolim· þæp pæpon ·cl· bircopa· re þluðða pær on Efferum· ·cc· bircopa· y re reonda pær on Lalcedonea. rela bircopa ætzædene. y ealle hi peepon annæde eet eallum ham dingum he man on rhuman on Nicea zerette. y ealle hi ronbudon ærne ælc pirlac peorodpenum. Dencan da nu pe to pam dpyrte ryn. F hi Irod openreoð. I rpa manizer halizer manner dom. rpa on þirrum rmoðum zeramnoðe pæpon. y zehpæp rýððon. hpýlcer leaner hỳ hỳm penan mazon y eac penan ne bupron ac zepitod pıran. F hı yrel lean habban rculon. 4 zpımlıce Irober zpaman. bunh b be hy rpa Loo znemiad. b hi eall heona lir libbad on rýlče. Peopod-penar ic bibbe p hi bečencan hi rýlre y zerpıcan ælcene rýlőe. у þа бе æp þýrran þone unzepunan hærdon. p hi heona pir zlenzban rpa hi peoroba rceolban. zerpican þær unzepunan. 4 zlenczan heopa cýpican be þam þe hı becrt mazon. ponne peaload hy heom rylrum. æzden ze zoocunder pæder. Ze populocunder peoporcyper. Nir ppeoprer cpene ænig oden bing butan deorler gjun. I rebe mid bam zezpinod býď ropď od hir ender he býď þuph deorol rærte zerangen. I he eac rybbon mot rapan on reonda hand. I roprapan mid-ealle. Ac helpe zehpa zeonne hýr rýlrer þa hpile be he maze y more. y zebuze selc man rpam unpuhre. bonne zebýpho man pro ece pree y eac repe puphpunao on zodum decoum rond of his ender he beer habban sceal éce edlean. Nu cop ir rod arced understandah cop rylre be dam be ze pillan. Lob eop zetpýmme to eoppe azenne þeapre. 4 ur ealle zehealde. Spa hir pýlla rý. Amen:

XXIV. BE EALLUC LRISTENUC CANNUC.

"Riht if pealle chiftene men heona chiftendom juhtlice healdan. I ham life libban he heom to-zebynad. Efter Hoder juhte. I æften populd-zenyrenum. I heona piran ealle he ham hinzan zeonnlice radian. he da pirian he hy pirlice I pæplice

other things, regarding both God's servants, and God himself. They said there all unanimously, that it was right, if a minister of the altar, that is a bishop, or a mass-priest, or a descon, married, that he forfeited his order for ever, and should be excommunicated, unless he should repent and the more deeply atone. Four synods were assembled on account of true faith with respect to the Holy Trinity, and Christ's humanity. The first was at Nice, and the second was afterwards at Constantinople; there were cL. bishops; the third was at Ephesus, of cc. bishops, and the fourth was at Chalcedon, of many bishops together: and they were all unanimous in all those things, which had before been established at Nice, and they all for ever forbade all marriage to the ministers of the altar. Let them now, who are to that degree daring, that they contemn God, and the decree of so many holy men as were assembled at these synods, and everywhere since, think what reward they may expect for themselves, and indeed they need not expect, but know for certain, that they shall have an evil reward, and God's anger sternly, because they so anger God, by living all their live in filth. Ministers of the altar I beseech, that they bethink themselves, and refrain from every filth; and let those, who before this had the evil custom of decorating their women as they should the altars, refrain from this evil custom, and decorate their churches, as they best can; then would they command for themselves both divine counsel and worldly worship. A priest's wife is nothing but a snare of the devil, and he who is ensnared thereby on to his end, he will be seized fast by the devil, and he also must afterwards pass into the hands of fiends, and totally perish. But let every one earnestly help himself, the while he can and may; and let every man abstain from unrighteousness, then will he be secure against eternal punishment: and also he who shall continue in good deeds on to his end, shall for that have eternal reward. Now is the truth said to you, understand yourselves as you will. May God strengthen you to your own benefit, and preserve us all. So may his will be. Amen.

XXIV. OF ALL CHRISTIAN MEN.

"It is right that all Christian men righteously hold their Christianity, and lead that life which is befitting them, according to God's law, and according to worldly conventions, and diligently order all their ways by those things which they direct,

pirian cunnon y p ir bonne seperto pæba rypmerto p manna zehpýlc. oren ealle obne pinc. ænne Iod lurize. y ænne zelearan annædlice hæbbe on þæne- þe ur ealle æpert zepophtey mid deoppy noum ceape ert ur zebohte. And eac pe azan peanre p pe zeonnlice rmeazan hu pe rymble mazan Loder azene beboda nihtlicort healdan. y eall b zelærtan b b pe behetan. þa pe fulluht undeprengon. obbon þa de æt fulluhte upe rope-rppæcan pæpon. Dæt ir bonne æpert. þ þ man behateð þonne man rulluhter zýnnð. Þ man á pile beorol arcuman. y hir unlape zeopne ropbūzan. y ealle hir unlaza rýmble man-ribar? apyrpan- y écelice pibracan ealler hir zemanan y manifiber rona þæp-ærtep- mið pihtan gelearan- roðlice rpýtelað þ man pananpopě aa pile on ænne Loo æppe zelýpan. 4 opep ealle oone ping hine a lurian. 4 serne hir lanum geonnlice rylgean. y hir agene beboda pihtlice healban. y bonne bid b rulluht rpýlce hit pedd rý ealpa þæpa popda. y ealler þær behater. zehealde rebe pille. And rod ir b ic recze- englar bepeandiad banan-ropă ærne manna zehpylcne hu he zelærte ærten hır rulluhte. Þ þ man behet æp. þa man rulluhter zýpnde. Utan þý zeþencan. ort y zelome. y zeonne zelærtan þ þ pe behetan. þa pe rulluht unbeprengan. ealrpa ur þeapr 17. j utan popo y peope pihtlice rabian. y upe in-zebane clængian zeopne. 4 ag 4 begg bæblice perlese nergene nyelome ny pone mýclan dom. pe pe ealle to-reylon. y beorgan úr zeorne pið þone peallendan bnýne helle piter. A zecannian ur þa mænða y þa mýnhða. þe Iloð hærð zezeappoð þam þe hir pillan on populde zepýpcať:"

XXV. BE CYRICAN.

"Riht if b cluftene men chiftenoom geopne healban mid pilite. y Epipter cýpican æzhpæp zeopne peophian y pepian. Calle pe habbat ænne heoronlicne ræden. y ane zartlice modop. reo ir eccleria zenamod. p ir Toder cynce. 4 pa pe rculon ærne lurian y peopoian. And pilot ir p ælc cypice ry on Irober zpube. y on ealler chiptener rolcer. y & cypic-zpub rcande æzhpæn binnan pazum. 4 zehalzoder cyninczer handzpič eren unpemme. ropham ælc cypic-zpič ir Epirter azen zjuő. 4 ælc chijten man ah mýcele jeante ji he on jam zjuőe mýcle mæþe pree roppam ælcer cpirtener manner nýð-þeapr 17. j he Loder cýpican zeopne lurize y peophize. y hi zelom-

who are able wisely and prudently to direct them; and this then is first, of counsels foremost; that every man, above all other things, love one God, and stedfastly have one belief in him who first made us all, and with a dear price afterwards bought us. And also we have need earnestly to consider, how we may always most righteously hold God's own commandments, and perform all that which we promised, when we received baptism, or those who at our baptism were our sponsors. then is first: that which we promise when we desire baptism (that we will ever shun the devil, and diligently eschew his evil lore, and always diligently renounce all his iniquities, and eternally deny all his fellowship, and evil courses immediately after, with true faith) truly manifests that we will henceforth ever believe in one God, and constantly love him above all other things, and ever earnestly follow his instructions, and righteously hold his own commandments: and then will that baptism be as it were a pledge of all those words, and of all that promise, observe it who will. And true is what I say, angels ever thenceforth watch every man, how he performs, after his baptism, that which he ere promised, when he desired baptism. Let us therefore call to mind, oft and frequently, and earnestly perform, that which we promised, when we received baptism, as is needful to us; and let us rightly order our words and works, and diligently purify our minds, and carefully hold oath and pledge, and frequently meditate on the great judgment, to which we all shall pass, and diligently secure ourselves against the raging fire of hell-torment, and earn to ourselves the glories and joys, which God hath prepared for those, who do his will in the world."

XXV. OF THE CHURCH.

"It is right, that Christian men zealously hold Christianity with righteousness, and Christ's church everywhere zealously honour and protect. We all have one heavenly father, and one spiritual mother; she is named Ecclesia, that is God's church; and her we should ever love and honour. And it is right, that every church be in God's 'grith,' and in all Christian people's; and that church-'grith' stand everywhere between walls, and a hallowed king's hand-'grith' equally inviolate; because every church-'grith' is Christ's own 'grith,' and every Christian man has great need, that he show great reverence for that 'grith;' because it is necessary, for every

lice 4 zeopnlice rece. him rylrum to beapre. 4 hupu zehadode. bæn reulon optort beopian y benian. Y ron eall chirten role bingian geopne. Donne agan peorod-begnar to rmeagenne rýmble. F hi hunu-þinga heona lir raðian rpa rpa to cýncan zebýpize mid pihte. Lipice ir mid pihte racender æpe. I reje to cýpican peopõe zehadod naze hine æniz man þe Lober laze pecce panon to bonne butan he hi mib hearob-zylte rullice roppynce. 4 bonne reeall Engreer rein-genera b prean. 4 ýmbe þ bihtan 4 beman rpa rpa béc tæcan. And ne rceolde man ærne cýpican bepian. ne æniz poh beoban. on ænize pıran· ac nu ryndon beah cyncan pide 4 ride pace χεχμιδοδε· y ýrele zepeopode. y clæne benýpte ealona zepihta. y innan berthýpte ælcena zemrena. y cýmic-bénar rýmbon mæbe y munde zepelhpæn bedælde. 4 pa ham he hær pealt. heh he rpá ne péne- roppam ælc þapa býð problice Lober rýlrer reondo be byd Loder cynicena reondo 4 be Loder cynicena pilot zepanað oððe pýpdeð. ealrpa hit appiten ir. Inimicur enim Ehpirti erricitup omnir qui eccleriarticar per uruppape iniurte conatun. et peliq. And ezerlice rppæc Scr Epezoniur be pam eac pa pa he pur cpæd si quir eccleriam Ehpirci denudauenit. uel ranctimonia uiolauenit. anabema rit. ad quod perpondenter omner dixenunt Amen. Wycel ir neód-þeapr manna zehpýlcon. Þ he pið þar þinc beopze him zeopne. y æzhpylc Loder rneond papnize hine rymble. B he Epirter bryde to rpyde ne mirbeode. Calle pe rculon ænne Loo lurian y peongian. y ænne criftendom zeonne healdan. y ælcne hæþendóm mið ealpe mihte apýppan:"

Christian man, zealously to love and honour God's church, and frequently and zealously to attend it, for his own benefit; and those in orders especially should there oftenest serve and minister, and earnestly intercede for all Christian people. Then have ministers of the altar constantly to consider, that they, at all events, so order their lives as is justly fitting to the church. The church is rightly the priest's spouse, and with him who is ordained to the church, no man, who recks of God's law, has thenceforth aught to do, unless, through capital crime, he foully forfeit it, and then shall Christ's 'scir-gerefa' be informed of it, and thereupon direct and judge as the books prescribe. And no one should ever injure a church, or wrong it, in any way; but now churches are, nevertheless, far and wide weakly 'grith'd,' and ill served, and cleanly bereft of their old rights, and within stript of all decencies; and ministers of the church are everywhere deprived of their rank and power; and woe to him who is the cause of this, though he may not think so; because every one is certainly the foe of God himself, who is the foe of God's churches, and who impairs or injures the rights of God's churches, as it is written: Inimicus enim Christi efficitur omnis, qui ecclesiasticas res usurpare injuste conatur, et rel. And awfully spake Saint Gregory concerning him, when he thus said: 'Si quis ecclesiam Christi denudaverit, vel sanctimonia violaverit, anathema sit; ad quod respondentes omnes, dixerunt Amen.' the necessity for every man, that he strenuously secure himself against these things; and let every friend of God constantly take care, that he do not too greatly misuse the bride of Christ. It is the duty of us all to love and honour one God, and zealously hold one Christianity, and with all our might renounce every heathenism."

*THE CANONS OF ÆLFRIC.

INCIPIT EPISTOLA DE CANONIBUS.

Ælfricus humilis frater venerabili episcopo Wulfsino salutem in Domino. Obtemperavimus jussioni tuæ libenti animo, sed non ausi fuimus aliquid scribere de episcopali gradu, quia vestrum est scire, quomodo vos oporteat optimis moribus exemplum omnibus fieri, et continuis admonitionibus subditos exhortari ad salutem, quæ est in Christo Jesu. Dico tamen, quod sæpius deberetis vestris clericis alloqui, et illorum negli-

BE PREOSTA SYNODE.

- i. Ic recze eop preortum i ic rylr nelle beran eoppe zymelearte on eoppum beopoome. ac ic recze eop roblice hu hit zeret ir be preortum. Epirt rylr artealoe chirtendom y clænnyrre. y ealle ba be rendon on hir rane mid him rop leton ealle populo-bing. y pirer neapirte. rondon be he rylr cpæb on rumum. Zodrpelle. Sebe hir pir ne hatab nir he me pypbe ben:
- 11. Da ærten Emirter up-rtige ert to heorenan nice y ærten geenbunge hir appundna aportola. peand rpa mýcel ehtnýr on middan-eande artýpod. Þ man ne mihte gegadnian Iroder þeopar to rinode. ron þam hædenum cpællenum þe cepton heona deader. oð Þ Eonrtantinur re carene to chirtendome beah. rede eallne ýmb-hpýnrt on hir anpealde hærde:
- 111. Da zezabenobe he rinos on bæne cearthe Nicea bneo hund birceopa y eahta týne birceopar. or eallum leodrcipum. ron bær zelearan thýmminge. Dæn pænon rpa mæne bi-

¹ ænere add.

² hir add.

THE CANONS OF ÆLFRIC.

gentiam arguere, quia pene statuta canonum, et sanctæ ecclesiæ religio vel doctrina, eorum perversitate deleta sunt: ideoque libera animam tuam, et dic eis quæ tenenda sunt sacerdotibus et ministris Christi, ne tu pereas pariter, si mutus habearis canis. Nos vero scriptitamus hanc epistolam, quæ Anglice sequitur, quasi ex tuo ore dictata sit, et locutus esses ad clericos tibi subditos, hoc modo incipiens.

OF THE SYNOD OF PRIESTS.

- 1. I say to you priests, that I will not bear your negligence in your service, but I will truly say to you how it is constituted with regard to priests. Christ himself established Christianity and chastity, and all those who walked with him, in his way, forsook all worldly things, and society of woman; for he himself said in one of his gospels: 'He who hateth not his wife is not a disciple worthy of me.'
- 2. Then after Christ's ascension again to heaven's kingdom, and after the death of his venerable apostles, so great a persecution was raised up in the world, that God's servants could not be assembled in a synod, by reason of the heathen murderers, who meditated their death; until the emperor Constantine turned to Christianity, who had the whole globe in his power.
- 3. He then assembled a synod in the city of Nice, of three hundred and eighteen bishops, of all nations, for confirmation of the faith. There were so many great bishops at that synod,

[•] The text is from O_n , the variations from X_n .

rceopar maneze on þam rýnoðe þ hý pýncean mihtan pundpa
g rpa býdon. Dý amanrumodon þæp þone 'mærre-ppeort'
Appium. rophan þe he nolde zelýran þ þær lirizendan Goder
runu pæpe ealrpa mihtiz rpa 're mæpa ræden ir. Da ropdembon hý ealle þone deorler mann. ac he nolde zerpícan æpham
þe him ráh re innoð eall endemer út. þa þa hé to zanze
eode:

- 1111. On þam rinoðe pæpon zerette þa halgan cýpicþenunga. y re mærre-cpeða. y manega oþpe þing be Loðer biggengcum. y be Loðer þeopum:
- v. Dý zecpædon þa ealle mið ánpædum zeþance. Þ naðen ne birceop. ne mærre-pneort. ne diacon. ne nán piht canónicur næbbe on hir húre nænne pirman. buton hit rý hir modon oððe hir rpurtun. raðu oððe módpixe. J reþe eller bó bolixe hir háder:
- vi. Nu þincð eop³ þir rýllic to zehýnenne- rophan þe ze habbað eopne ýnmðe rpa on zepunan zebnoht- rpýlce hit nan pleoh ne rý þ re ppeort libbe rpa rpa ceopl. Nu cpeðe ze þ ze ne magon beon butan 'pimmanner þenungum- y hu mihtan þa halgan pepar þa punizan butan píre.' Dý habbað eac nú ðá meðe⁵ heopa móðer clænnýrre á butan énde on þam écan líre. Nu cpeðað ort ppeortar þ Petpur hærðe pír- rul roð hý recgað ropham þe he rpa morte þá on þære ealdan æ-æpþan þe he to Epirte zebuze- ac he roplet hir pír y ealle populð-þing- rýððan he to Epirte beah- þe ða clænnýrre artealðe:

[«]1. Бурра-ріс.

¹ ppýpan ² hir ³ ppeortum add.

*/ přice ac þa halgan ræbepare þe beropan ur pæpone rpa rpæ pær
8. Ieponimur ppeorte j 8. Knartariur ppeorte þe 8čr Barihur re b
geýpte j 8. Beba ppeorte þe hir ban pertað on *Corep-pice j ungepime oðne þe pe heopa naman ne cunnan geond ealpa eopþan ýmbhyýprte miðban-eapber hærðen rophærednerre rpam pirer neapertej mið ealpa gehealdrumnerre j gehýprumnerre Loder j heopa ealdpar Lode pel gecpemban.

⁵ mib Lobe add.
6 rumena pinza add.

^a For traces of the legend here referred to, see Acta Sanctorum, mens. Junii, Tom. 11. p. 951. § 49, 50.

that they might have wrought miracles, and so they did. They there excommunicated the mass-priest Arius, because he would not believe that the Son of the living God was as mighty as the great Father is. Then they all condemned the devil's man, but he would not cease, till, at last, his intestines all fell out, when he went to the house of office.

- 4. At this synod were appointed the holy church services, and the mass-creed, and many other things respecting God's worship, and God's servants.
- 5. They all decreed, by an unanimous determination, that neither bishop, nor mass-priest, nor deacon, nor any regular canon, should have in his house any woman, unless it were his mother, or his sister, or his father's sister, or his mother's sister, and that he who should do otherwise should forfeit his order.
- 6. Now this will seem to you strange to hear, because ye have brought your wretchedness so into a custom, as if it were no danger that the priest live as the 'ceorl.' Now ye say, that ye cannot be without the services of a woman; but how could then those holy men live without wives? They have now, therefore, the meed of their mind's chastity, ever without end, in the life eternal. Priests now often say, that Peter had a wife: they say very truly, because he must so then, by the old law, before he turned to Christ; but he forsook his wife, and all worldly things, after he had turned to Christ, who established chastity.

a wife, but the holy fathers, who were before us, so as was Saint Jerome the priest, and Saint Anastasius the priest, whom Saint Basil the bishop made known, and Saint Beda the priest, whose bones rest in bYarrow, and numberless others, whose names we know not, over all the globe of the world, practised abstinence from the society of woman, and with all continence, and obedience to God, and their superiors, well propitiated God, and

b Beda's remains were first interred at Yarrow, but were stolen from thence, between the years 1021 and 1041, by a priest, Ælfred the son of Weston, and deposited in the cathedral church of Durham, where they rested in peace till 1541. See Stevenson's Beda, Intr. pp. xix and xx.

vii. On þæpe ealdan æ morte re birceop niman him an clæne mæden. y pið hý týman on arettum timan. ropþan þe þ an cýn rceolde rýmble beon þær haðer. y or nanne oðne mægðe ne morte þæn beon nan birceop. he ne morte rpa-þeah butan æne pírigan. ne 'he ne morte' on pýdepum pírigan. ne on apoppenum píre. ac ealrpa pe æn rædon on rumum mædene. Dý mihton þa pel habban pír on þam dagum. ropþan þe hý nærne ne mærrodon. ne menn ne hurlodon. ac orrpodon nýtenu on þa ealdan píran. oð þ Ejurt halgode hurl æn hir þnopunge. y þa mærran artealde. þe rtent nu þunh hýne:

viii. Dæp pær eac zerett on þam ýlcan rinose. Þ rese pidepan name obse apoppen pír. obse rehe ert pírose. Þ he ne punde nærne rýssan to nanum hase zenumen. ne zehalzos to pneorte. Ac rese æp hærse him an clæne² pir³. re pæne zecopen to þam clænan hase. rpa rpa re aportol Paulur on hir pirtole appat:

ix. Ne nan preoft ne mot been æt þam brýð-lacum ahpær þær man ert pírað oðde pír ert ceoplaðe ne hý tozæðere bletriane rpýlce man býcnize hime rpa þeinm relpe pære þei hý punodon on clænnýrre. Se læpeða mot rpa-þeahe be þær aportoler learee oðre riðe pírizane zýr hir pír him ætrýlde ac þa cánoner ropbeðað þa bletrunga þærette y zeretten dæðbóte rpýlcum mannum to donne:

x. Seopon habar rýndon zerette on cýncan. an ir hortianiur. oben ir lector. phidda exoncirta. reopoa acolitur. rirta rubdiaconur. rixta diaconur. reopoa pnerbiten:

xi. Doptianiur ir þæne cýncean dune-pende re rceal mið bellan bicnigan þa tíðas y þa cýncan unlúcan gelearfullum mannum. y þam ungelearfullum belúcan piðútan:

жи. Lectop if pedepe be speed on Toder cypcan. 4 bid perto zehadod b he bodize Toder popd:

^{1/} ponne

² mæben zenumen to add.

- 7. By the old law, a bishop must take to him a pure maiden, and with her cohabit at fixed times; because that one race should always be of that order, and of no other tribe might there be any bishop; he might not, however, marry more than once, nor might he marry a widow, nor a repudiated woman, but, as we before said, a maiden. They might well have wives in those days, because they never celebrated mass, nor administered the housel to men, but offered beasts in the old wise, until Christ hallowed the housel before his passion, and appointed the mass, which now stands through him.
- 8. There was also determined at that same synod, that he who took a widow, or a repudiated woman, or he who married again, that he should never afterwards be received into any order, nor hallowed for a priest; but he who before had a pure wife, was chosen to the pure order, so as the apostle Paul hath written in his epistle.
- 9. Nor may any priest be at the marriage anywhere, where a man marries a second wife, or a woman a second husband, nor together bless them, as may be signified to him; so that it were better for them that they continued in chastity. The layman may, however, with the apostle's leave, marry a second time, if his wife desert him; but the canons forbid the blessings thereto, and have established penances for such men to do.
- 10. Seven degrees are established in the church: one is ostiarius, the second is lector, the third exorcista, the fourth acoluthus, the fifth subdiaconus, the sixth diaconus, the seventh presbyter.
- 11. Ostiarius is the church door-keeper, whose duty it is to announce the hours with bells, and unlock the church to believing men, and to shut the unbelieving without.
- 12. Lector is the reader, who reads in God's church, and is ordained for the purpose of preaching of God's word.

^{3 7} nane oope butan pa add.

xIII. Exoncirca ir on Englire rebe mid age halrad þa apýngeðan gartar þe pýllað menn oneccan bunh þær Dælender naman þ hý þa menn ronlæton:

xiv. Acolitur ir zecpeden rebe candele odde tapon býnd to Iroder þenungum þonne mann zodrpell nær. odde þonne man halgað f hurl ær þam peorode. ná rpýlce he to-drære þa býmlican þeortpa. ac f he zebýcnize blýrre mið þam leohte. Epirte to appundnýrre. þe ir upe leoht:

xv. Sub-biaconur ir rodlice unden-biacon. repe þa ratu býrð rond to þam diacone. I mið eadmodnýrre þénað unden þam diacone æt þam halgan peorode mið þam hurel-ratum:

xvi. Diaconur ir þen þe þenað þam mærre-preorte- y þa orrnunga rett uppon þ peoroð- y zoðrpell eac ræt æt Iroðer þenungum. Se mot rulligan cilð- y þ rolc hurligan. Da rceolon on hpytum album þam Dælende þeopigan- y þ heorenlice lir healdan mið clænnyrre- y eall dúzende beon- rpa rpa hit gedarenað þam hade.

Se racend pe bid punizende butan diacone. re harad pone naman y nærd pa pénunza:

xvii. Pherbiten if mæffe-pheoft oððe eald-pita. na þælc eald rý. ac þ he eald rý on pírdome. Se halgað Goder hurelpa fra fra Dælend bebeáð. he fceal þ folc lænan to geleáfan mið bóðunge. y mið clænum þeáfum þam chirtenum gebýfnian. y hir líf ne fceal beon frýlce læpedna manna. Nif na mane betrýx mæffe-pheofte y birceop. buton þ fe birceop bið gefett to haðigenne pheoftar. y to birceopgenne cild. y to halgýenne cýpcan. y to gýmenne Goder gefihta. fonban þe hit pæne to mænigfeald. gir ælc mæffe-pheoft fra dýðe. y hý habbað ænne háð. þeah fe oðen fý funðop:

xvIII. Nir nán háð gerétte on cýnclicum þeapum butan þar reoron. rpa rpa pe ræðon nu. Qunuc-háð y abbuð-háð rýnbon on oðne píran. y ne rýndon getealde to þýrum getele. ne eac nunnan-háð nir na genamoð hen-to. Đar haðar rýndon

^{1 7} him bebeobed interlined in an ancient hand.

- 13. Exorcista is in English, he who with oath conjures, in the Saviour's name, the accursed spirits, which torment men, that they forsake those men.
- 14. Acoluthus he is called who bears the candle or taper, in God's ministries, when the gospel is read, or when the housel is hallowed at the altar; not to dispel, as it were, the dim darkness, but, with that light, to announce bliss, in honour of Christ, who is our light.
- 15. Subdiaconus is truly underdeacon, who bears forth the vessels to the deacon, and humbly ministers under the deacon, at the holy altar, with the housel vessels.
- 16. Diaconus is the minister who ministers to the masspriest, and sets the offerings upon the altar, and also reads the gospels at God's ministries. He may baptize children, and housel the people. They shall minister to the Saviour in white albs, and lead a spiritual life in chastity, and all be efficient persons, so as is befitting the order.

The priest, who continues without a deacon, has the name, but has not the services.

- 17. Presbyter is the mass-priest, or old 'wita;' not that every one is old, but that he is old in wisdom. He hallows God's housel, as the Saviour commanded. He has to instruct the people in belief with preaching, and with pure morals give example to Christians, and his life should not be as that of laymen. There is no difference betwixt a mass-priest and a bishop, save that the bishop is appointed for the ordaining of priests and confirming of children, and hallowing of churches, and to take care of God's dues; for it would be too multifarious if every mass-priest so did: but they have one order, though the latter have precedence.
- 18. There is no order appointed in the ecclesiastical ministries but these seven, as we have just said. Monkhood and abbothood are in another manner, and are not reckoned in this number, nor also is nunhood named herein. These

halige. 4 to heorenum gebningas þæna pneorta rapla þe hý rýrenlice healdas:

xix. Nu zebýpač mærre-ppeortum y eallum Iroder þeopum.

p hi healdan heona cýpcan mið halgum þeopdome. y þa reoron

tíð-ranzar zerýnzon þæp-inne. þe him zerette rýnd. rpa rpa

re rinoð hi zedihte. uht-ranz y ppim-ranz. undenn-ranz y

miðdæz-ranz. nón-ranz y æren-ranz. y niht-ranz reoroðan:

xx. And he recolon gebidden geophlice rop bone cyning. y rop heone birceop. y rop he him god dod. y rop eall chirten rolc:

xxi. De reeal habban eac þa pæpna to þam gartheum peopee æpþan þe he beo gehádoð. Þ rýnd þa halgan bec. raltepe. y pirtol-bóc. goðrpell-bóc. y mærre-bóc. rang-bóc. y hand-bóc. gepum. y partopalem. penitentialem. y pæðing-bóc. Day bec reeal mærre-ppeort neðe habban. y he ne mæg bútan beon. gir he hir háð on piht healdan pýle. y þam rolce ærtep pihte pirigan. þe him tó-locað. Y beo he æt þam pæp þ hi beon pel gepihte:

xxII. De rceal habban eac mærre-pear h he mage appundhee Iode rýlrum þenigan. rpa hit gedarenlic if h hir pear ne torliten? beo hopig. ne hunu "to-rigen y hir peorod-rceatar beon pel behpoprene. Beo hir calic eac or clænum antimbre gepophtunroppotigendlic." y eallrpa re dirc. y clæne coppopale. rpa rpa to Epirter þenungum gebýpað. Wan ne mæg butan gerpýnce rpýlc þing rondbhingan. ac þa beoð on ecnýfre appunde mið Iode. þe him pel þeniað mið pírdome y mið clænnýfre:

xxIII. Se mærre-preort rceal reczan. Sunnan-bazum y mærre-bazum. þær zodrpeller anzýt on Enzlirc þam rolce. y be þam Paten norten. y be þam chedan eac. rpa he ortort maze. þam mannum to onbhýhdnýrre. Þ hi cunnon zelearan. y heona chirtendóm zehealdan. Pannize re laneop pið þ þe re piteza chæð. Laner muti non porrunt lathane. Da dumban hundar ne mazon beoncan. Pe rceolon beoncan y bodi-

¹ libbenbe j popo-zepitene add.

^{2&#}x27; Dir ir p neab ppin be ppeort habban reeal-

orders are holy, and bring to heaven the souls of those priests who seriously observe them.

- 19. Now it behoves mass-priests, and all God's servants, to officiate in their churches with holy service, and to sing the seven canonical hours therein, which are appointed to them, so as the synod has directed: matins, prime, tierce, sext, none, vespers, and compline seventh.
- 20. And they shall fervently pray for the king, and for their bishop, and for those who do good to them, and for all Christian people.
- 21. He shall also have for the spiritual work, before he is ordained, these weapons; that is, these holy books: psalter, epistle book, gospel book, and mass book, book of canticles, and manual, numeral, and pastoral, penitential, and reading book. These books the mass-priest should necessarily have, and he may not be without them, if he will properly observe his order, and rightly inform the people, who look to him; and let him be careful, that they are well directed.
- 22. He shall also have mass-vestments, that he may reverendly minister to God himself; so is it becoming, that his vestment be not dirty, nor by any means torn, and his altarcloths in good condition. Let his chalice also be wrought of pure material, incorruptible, and so also the dish, and the corporale be clean, such as is befitting Christ's ministries. Such things cannot be produced without labour, but they will for ever be honourable with God, who well minister to him, with wisdom and with chastity.
- 23. The mass-priest shall, on Sundays and mass-days, tell to the people the sense of the gospel in English, and concerning the Pater noster and the creed also, the oftenest that he can, as a stimulus to men, that they may know the faith and cultivate their Christianity. Let the teacher warn against that which the prophet says: 'Canes muti non possunt latrare,' Dumb dogs cannot bark.' We ought to bark, and preach to

³ zýlben obče reolrenn obče tinen interlined in a very ancient hand.

gan þam læpeðum. Þe lær þe hý ron lan-lýrte lorian recoldan. Enirt epæð on hir goðrpelle be unrnotenum laneopum-Eæcur ri cæco ducatum ppærtet. ambo in roueam caðunt. In re blinda mann bið oðner blindan latteop. Þonne bereallað hý begen on rumne blindne reað. Blind bið re laneop. gir he þa bóc-lane ne cann. y berpicð þa læpeðan mið hir lán-learte. rpa panniað eop pið þir. rpa rpa ze þeanre agon:

xxiv. Da halgan pædepar geretton eac p menn rýllon heopa teopunga into Goder cýpcan. And gange re racepo to y dæle hý on ppeo ænne dæl to cýpc-bôte y odepne þeaprum þone ppiddan þam Goder þeopum þe þæpe cýpcan begýmað:

xxv. Cac hý zeretton ý mann ne rceole mærrian innan nánum hure- buton hýt zehalzoð rý- buton ron mýcelne neoče- obbe zýr man bið untnum:

xxvi. And gir ungerullod cild ræplice bid gebnoht to ham mærre-pneorte. h he hit mot rullian rona mid orrte. hit ne rpelte hæden:

xxvii. And f nan preort ne do 'hir halgan benunge pid recattum.' ne naner binger ne bidde æt. nadon ne ron rulluhte. ne ron nane benunge. f he ne beo ham zelic be Empt rylr adnærde mid rpipe or ham temple. ronhan he hy mangodon man-rullice bæn-inne. Ne do na re Goder beopa Goder benunge ron recattum. ac to by f he zecannize f ece puldon bunh f:

xxvIII. Ne nan ppeort ne rape pop ænizpe zitrunge piam mynrtpe to oppum ac ærpe puphpunize pæn he to zehádod pær pa hpîle pe hir dazar beod:

xxix. Ne nan ppeort buph býriz ne opince unzemetelicene nænne mann ne neadize to mýcclum opýnce roppan þe he rceall beon zeapo. Zir cilo bið to rullizenne oððe man to hurlizenne. Þ he hæbbe hir zepitt y þeah hit rpa ne zetimizene rceal he beon opuncen roppan þe upe Dpihten ropbeað opuncennýrre hir þenum:

^{1/} rylle pið rceattum hir þenunge.

the laymen, lest, for want of teaching, they should perish. Christ has said in his gospel, of unskilful teachers: 'Cæcus si cæco ducatum præstet, ambo in fossam cadunt,' 'If the blind be the guide of another blind, then they both fall into a blind ditch.' Blind is the teacher, if he know not booklearning, and deceive the laymen by his ignorance; therefore take ye heed against this, so as ye have need.

- 24. The holy fathers appointed also, that men pay their tithes into God's church. And let the priest go thither, and divide them into three: one part for repair of the church, and the second for the poor, the third for God's servants, who attend the church.
- 25. They also established, that no one should celebrate mass within any house, unless it were hallowed, except for great need, or if any one be sick.
- 26. And if an unbaptized child be suddenly brought to the mass-priest, that he must baptize it forthwith with haste, so that it die not heathen.
- 27. And that no priest do his holy ministry for money, nor demand anything, neither for baptism nor for any ministry; that he be not like to those, whom Christ himself drove with a whip from the temple, because they wickedly trafficked therein. Let not the servant of God do God's ministry for money, but to the end that he may merit eternal glory thereby.
- 28. Nor let any priest, for any covetousness, go from one minster to another, but ever remain in that to which he was ordained, as long as his days continue.
- 29. Nor let any priest, through folly, drink immoderately, nor force any man to much drink; because he shall be prepared, if there be a child to baptize, or a man to housel, so that he have his wits: and though it may not so happen, he ought not to be drunk, because our Lord forbade drunkenness to his disciples.

This chapter, which is wanting in O., is supplied from X.

xxx. Ne ppeort ne beo mangepe ne gitrigende marrepene he ne roplæte hir zodcundnyrre- ne ne ró to populo-rppæcum- ne he pæpna ne pepige- ne ne pipce race- ne he ne dpince æt pin-tunnum- rpa rpa populo-menn dod- ne he adar ne rpepige - ac mid anrealdnyrre rppæce ærpe unlearlice- rpa rpa zelæped Iroder beopa:

xxxi. De rceal eac mid zerceade þa rynzizendan rchiranælcne be hir mæðe- rpa rpa he acuman maze- y he rceal hurlizan unhale y reoce- þa hpile þe re reoca maze y hurl ronrpelzan- y he hit ne rceal don zir he ram-cucu bið- ronþan þe Enirt *het y mann æte y hurl:

xxxII. Se preort reeal habban zehalzoone ele on rundran to cildum. 4 on Lundhan to Leocum mannum. 4 Ludhizan pa reocan rymble on legene. Sume reoce menn roppandigat p hý nellað zeþarian þ hi man rmýnize on heopa unchumnýffenu pýlle pe eop reczan hu re Loder aportol Iacobur be þam tæhte he cpæb to þam gelearfullum þur Tpirtatup aliquir uertnum. opet æquo animo y prallat. Tryr copen hpylc bid zeunporrod. he hyne zebidde mid emnum mode y hir Dribten hepige. Lyr hpa bið zeuntpumoð betpux eop. he hate zereccan him to bæne zelabunze mærre-pneortar y hy him open-pinzon• y him pope zebiódon• y hine pmýpizon mið éle on Dpihtner naman. 4 þær zelearfullan zebeð zehælð þone unchuman. A Dhihten hine abæbo. A zýr he on rýnnum bro hý beoð him ropgýrene. Andettað eop betpýnan eoppe rýnna. у дебуббаб гор еор вегрупан. В де beon деhealdene. Dur cpæd Iacob re aportol be bæne rmynunge reocha manna. ac re reoca reeal geandertan mid inpeanone geompunze þam racepde. zýr he ænizne zýlt unzebet hærð. æp he hyne rmynige. rpa rpa re aportol hen beronan tæhte. 4 hine ne mot nan mann rmynizan butan he þær bidde. 4 hir andernýrre do. Lýr he sen rýnrul pæne z zýmelear. he do pænne andernyrre. y zerpycennyrre. y ælmerran. æn hir zeendunge. 4 he ne bid ropdémed to helle ac he becymb to Loder milerunge:

жжин. Feopen rinoбar pæpon rop þam roбan zelearan ongean þa zeòpolmen. þe býrlice rppæcon be þæpe Dalgan

¹ pa pa kepebe men bob add.

- 30. Nor let a priest be a monger, nor a covetous merchant; nor let him forsake his divinity; nor take to worldly conversations; nor let him wear weapons; nor work strife; nor let him drink at wine houses, as secular men do; nor let him swear oaths, but, with simplicity, ever speak truly, as a learned servant of God.
- 31. He shall also, with discretion, shrive sinners, each according to his degree, as he may bear; and he shall housel the infirm and sick, while the sick can swallow the housel; and he shall not administer it, if he be half living, because Christ commanded that the housel should be eaten.
- 32. The priest shall have hallowed oil apart for children, and apart for sick men, and always anoint the sick in bed. Some sick men are fearful, so that they will not consent to be anointed in their illness: now we will tell you how James, the apostle of God, taught respecting that point: he said to the faithful thus: 'Tristatur aliquis vestrum, oret æquo animo, et psallat,' 'If any of you be sad, let him pray with even mind, and praise his Lord.' 'If any one among you be sick, let him order to be fetched to him the mass-priests of the church, and let them sing over him, and pray for him, and anoint him with oil, in the name of the Lord: and the prayer of a faithful man shall heal the sick, and the Lord shall raise him up: and if he be in sins, they shall be forgiven him. Confess your sins among yourselves, and pray for yourselves among yourselves, that ye may be saved.' Thus spake James the apostle concerning the unction for sick men: but the sick must confess, with inward groaning, to the priest, whether he has any crime unatoned for, before he anoints him, as the apostle here before enjoined: and no man may anoint him, before he pray for this, and do his confession. If he were before sinful and heedless, let him then make confession, and promise cessation, and give alms, before his end; and he shall not be condemned to hell, but shall attain to God's mercy.
 - 33. There were four synods, for the true faith, against the heretics, who foolishly spake concerning the Holy Trinity, and

Dpýnnýrje y þær Dælender mennircnýrje. Se ronma pær on Nicéa· rpa rpa pe zerýnn ép rædon· y re oden pær rýddan on Confrancinópolim· oden healt hund birceopa· halize Itoder menn· re þnýdda pær on Ererum· 'þ pæron' tpa hund birceopa· y re reopda pær on Calcedonia· 'þ pær' ræla hund birceopa· y hý ealle pænon ánnæde him betpeonan to þæpe zerætnýrje þe mann zerette on Nicéa· y hý zebetton zehpæt þe tobnocen pær or þam. Da reopen rinoðar rýnd to healdenne· rpa rpa þa reopen Enirter bêc· on Enirter zelaðunge. Waneza rinoðar pænon rýddan zehærde· ac þar reopen rýndon rýnmerte rpa-þeah· ronþan þe hý adpæredon þa dpollican lana· þe þa zedpolan rundan dpollice onzean Itod· y hi eac zeretton þa cýnclican þenunga:

xxxiv. Du duppe ze nu ropreón heopa ealpa zerecnýjraponne munecar healdað áner manner zerecnýjra- þær halgan
Benedictur- y be hir dihte lýbbað- y zýr hý hpæp hit tobpæcað hi hit zebetað ert- be heopa abbudder dihte- mid ealpe
eadmodnýjre. He habbað eac pezol- zýr ze hine pædan
poldan- on þam ze magon zereón hu hit zeret ir be eop- ac ze
luriað populd-rppæca- y pýllað beon zeperan- y roplætað eoppe
cýpcan- y þa zeretnýjra midealle:

xxxv. Pe pýllað rpa-þeah reczan þa zeretnýrra eop. þý lær þe pe rýlre lorizon ronð mið eop. Tre ne reýlan ræznizan ronð-ranenna manna. ne þ líc zerécan. buton eop mann laðize

Christian men should attend church frequently, and no one may discourse, nor conversations hold within God's church, because it is a prayer-house, hallowed to God, for ghostly discourses. Nor may one drink, nor thoughtlessly eat, within God's house, which to that is hallow'd, that God's body be with faith there eaten. Yet men now do too oft foolishly, so that they will watch, and madly drink,

¹¹ X. omit.

² Epirtene men rculon recan cypican zelome. man ne mor rpellian. ne rppæca bpiran. bınnan Lober cynicanrondan pe heo ir zebeb-hur-Lobe zehalzob. to pam zartlicum rppæcum. Ne man ne rceal bnincanobbe bollice eranbınnan Eoser hure. pe ir zehalzob to pam-† man Lober lichaman mib zelearan pæp bicze. Nu bob men rpa-peahbyrlice rop orc. h hi pillad pacian. 7 poblice opincan.

the Saviour's humanity. The first was at Nice, as we said long before; and the second was afterwards at Constantinople, of a hundred and fifty bishops, holy men of God; the third was at Ephesus, of two hundred bishops; and the fourth was at Chalcedon, of many hundred bishops. And they all were unanimous among themselves for the ordinance that had been established at Nice, and they amended everything of it that had been broken. These four synods are to be observed, so as the four books of Christ, in Christ's church. Many synods have been held since, but these four are, nevertheless, the principal, because they extinguished the heretical doctrines, which the heretics heretically invented against God; and they also appointed the church services.

34. How dare ye now despise all their ordinances, while monks hold the ordinances of one man, the holy Benedict, and live according to his direction? and if they anywhere violate it, they make amends afterwards, by their abbot's direction, with all humility. Ye also have a rule, if ye would read it, in which ye may see how it is established with regard to you; but ye love worldly conversations, and will be reeves, and neglect your churches, and the ordinances totally.

35. We will, however, recite the ordinances to you, lest we ourselves perish along with you: Ye shall not rejoice on account of men deceased, nor attend on the corpse, unless ye

binnan Lober hurej byrmoplice plezian. nio zezar-rpnæcum-Lober hur zerylanac pam pæpe becepe p hi on heopa besse lazon. · ponne hi zezpemeson Los-. on pam zarclicum hure. Sede pylle pacian. 7 pundian Lober halzanpacian mib rtilnyrrey ne pypce nan zehlýbac ringe hir zebebu. rpa he relort cunne. j rebe pylle bpincan-j bpærlice hlýbanbpince him ær ham. na on Dpihener hure. p he Loo ne zeunpupöizeto pite him rylrum: add.

within God's house, and play shamefully, and with idle speeches God's house defile; [they but for them 't were better that in their beds lay, than that they God angered, in that ghostly house. Let him who will watch, and honour God's saints, with stillness watch, and make no noise, but sing his prayers, as he best can: and let him who will drink, and idly make noise, drink at his home. not in the Lord's house, that he God dishonour not, to his own punishment.

pæp-to 'pænne ze pæp-to zeladode rýn ponne ropheode ze pa hædenan ranzar pæpa læpedna manna y heona hludan cheahchetunza ne ze rýlre ne eton ne ne dpincon pæp processor ne læ rýlre ne eton ne ne dpincon pæp processor ne læ rýlre ne eton pance mid hpinzzum zezlenzede ne eopen pear ne beo to panclice zemacod ne ert to paclice ac penize zehpa rpa hir hade to-zebýpize propheort hæbbe processor ne ne penize zehpa pa hir hade to-zebýpize propheort hæbbe processor ne ne penize munuc-rchud ne læpedna manna pe ma pe re pen penad pummanna zýplan. Epirt cpæd be hir penum pe him peniad zeopnlice propheor on blýrre a mid him pæn pæp he rýlr bið on pam roðan lîre pam ir puldon y pundmýnt a to populde. Amen:

жжи. Ic bibbe eop. В де дутоп eoppa гулгра гра eoppe béc eop pirriad hu ze don recolon on birum topeandum dazum. Oan ne mot halgian hurel on Langa Frige-bæg. roppan þe Enirt propode on bone deer for ure ac mann reeal don rpabeah b be to bam dæze zebýpað. B man pæde tpa pædinza mið tpam thactum 4 mid tpam collectum 4 Enirter phopunge. 4 rýččan þa zebeðu. 4 zebýbbon hý to þæpe halzan pobe. Þ hi ealle zezpecon ha Loder pode mid corre. Lanze re preort ryőőan to þam Iroder peorode mid þæne hurel-lare þe he halzode on Dunner-bæz. 4 mid unzehalzodum pine mid pætene zemenczeó. 4 behelie mió coppopale. 4 cpede bonne berone. Opemur ppeceptir ralutapibur moniti. y Paten norten ob ende. 4 rýdďan cpede dizellice. Libena nor quæro Domine ab omnibur malir. 4 hlude. Pen omnia recula reculonum. rýččan rumne dæl þær hurler into þam calice. rpa hit zepunelic ir rpa-beah. mid rpigean zanze he to hurle rýððan. 4 eller loc hpa pylle. Pe ryngað on bone Dunner-dæg une tidrangar togædene. y ealle par pnecer bigellice. y Wirenene mei On bone Fpize-bæz pe ringað ealle þa Deur. 4 ba collectan. tid-ranger on rundon digellice. buton pam uht-range anum. be pe tozædene ringad. Callrpa on bone Sætenner-bæg od non-rang bið gerungen. ne do man nænne ele to þam rante. buton mann bæn cilo on fullige. On bone Carten-æren ne ry zerunzen. et bene merran orrenenda. ne Aznur Dei ne Lommunia. ac betpux ham he higan to hurle onginne re canton Alleluia. Alleluia. Alleluia. 4 bone realm been-to. Laubate Dominum omner zenter. rybban bone antemn Verpene be thereto invited; when ye are thereto invited, then forbid ye the heathen songs of the laymen, and their loud cachinnations; nor eat ye, nor drink where the corpse lieth therein, lest ye be imitators of the heathenism which they there commit. Nor shall ye be proud, decorated with rings; nor let your garments be made too proudly, nor yet too poorly, but let every one wear what befits his order; so that the priest have that to which he is ordained; and let him not wear monk's clothing, nor laymen's, any more than a man wears women's garments. Christ said of his disciples, who zealously ministered to him, that they should ever be with him in bliss, there where he himself shall be, in that true life; to whom is glory and honour to all eternity. Amen.

36. I pray you, that you take heed of yourselves, so as your books instruct you, how you should do in these days to come. Housel may not be hallowed on Good Friday, because Christ suffered on that day for us; but there must, nevertheless, be done what appertains to that day: so that two lectures be read, with two expositions, and with two collects, and Christ's passion; and afterwards, the prayers. And let them pray to the holy rood, so that they all greet the rood of God with kiss. Let the priest then go to the altar of God, with the housel bread that he hallowed on Thursday, and with unhallowed wine mixed with water, and conceal it with his corporale, and then immediately say: 'Oremus preceptis salutaribus moniti;' and 'Pater noster' to the end. And then let him say to himself: 'Libera nos quæso Domine ab omnibus malis,' and aloud: 'Per omnia secula seculorum.' Let him then put a part of the housel into the chalice, as it is, however, usual; then let him go silently to the housel; and for the rest, let look who will. We sing on the Thursday, our canonical hours together, and all these prayers to ourselves, and 'Miserere mei Deus,' and the collects. On the Friday we sing all the canonical hours separately to ourselves, except the matins only, which we sing together. In like manner, on the Saturday, until nones have been sung, let no oil be put into the font, unless a child be baptized therein. On Easter eve, let there not be sung at the mass-offering, neither 'Agnus Dei' nor 'Communia;' but among those who desire the housel, let the chanter begin: 'Alleluia, Alleluia, Alleluia,' and the psalm thereto: 'Laudate

autem Sabbati. 4 Wagnipicat of ende. Epede ryddan re racepo. Dominur uobircum. Opemur. 4 pone collectan port communionem. 4 geendige ba mærran 4 bone eren-rang pa mid anne collectan Port communionem. Sume preortar healdað þ hurl. þe bið on Earten-dæz zehalzod. oren zean. to reocum mannum. ac hi mirooo rpioe deope. I I halize hurel rceole rynegian. y nellaő undepreandan hu mycele debbote reo Penitentialir tæcð be þam. zýr þ hurel býð rýniz. oððe hæpen. obbe zir hit roplopen bib. obbe zir myr obbe nytenu puph zýmelearte hit etaő. Wan rceal healban p halize hurl mið mýcelne gýmene. 4 ne rophealdan hit. ac halgian oðen ednipe to reocum mannum a embe reoron niht. odde ymbe reopentine-niht. p hit hunu riniz ne ri. roppan be ealrpa halız bıð þ hurel þe nu co-bæz pær zehalzoð rpa þ on Cartenδæχ pær zehalzoo. Đæτ hurel ir Epirter lichama· na lichamlice· ac zartlice· na re lichama þe he on þpopode· ac re lichama be he embe rppæco ba ba he bletrode hlar y pin to hurle anne nihte &p hir phopunge. 4 cpæð be ham zebletroðan hláre. Dir ır min lichama. y ert be ham zehalzodan pine. Dir ir min blób þe bið rop manegum agoten on rýnna ropgýrennýrre. Undergrandad nu p re Drihten. be milite apendan bone hlar sen hir propunge to hir lichaman. 4 p pin to hir blode garthice. р re ylca бæzhpamlice blevrað þujih racejda handa hlár у ріп to hir zartlican lichaman y blode. Ac re racend reeal don clenlice y caprullice Lober benunga. mid clenum handum y mid cleenpe heoptan. y behealde he p hir orletan ne beon ealò bacene. ne ýrele berepene. y menze he rýmble pæten to ham pine rophan he h pin zetacnad une alyrednyrre huph Enirter blod. 4 p pæten zetacnad p role pe he rone propode. Wýcele zehinzbu zecanniab ha he Lobe mid zeonnrulnýrre 4 ercrulnýrre þeniað. y erc ir appiren. β re bið apýngeð þe deð Loder benunge mid zýmelearte. Pe mazon be þýrum tocnapan· β re mann þe hir zerýhoe nærð. ne rceal he zeðýnrclæcan p he mærrize. ponne he ne zerýho hpæt he orrnað Lode hpæden þe clæne þe rúl. Ne mann ne rceal mærran mid nánum odpum ræte buton mid þam calice þe þæp-to zebletrod yr. Pe beodad eop mærre-pneortum p ze beodon eallum pam rolce pe eop to-loca o y ze oren renirtar rynt. 🏲 mann rpeolrize ba reopen ropman Carten-bazar ælcer beoppeopeer roppan be on deepe tide eall middan-zeapd peer ze-

l peope

unroprocienblic zylben odde reolrnen odde tynen odde zlæren.

Dominum omnes gentes;' then the anthem: 'Vespere autem Sabbati,' and 'Magnificat' to the end. Then let the priest say: 'Dominus vobiscum,' 'Oremus,' and the collect: 'Post communionem;' and end the mass so with one collect, 'Post communionem.' Some priests hold the housel, that was hallowed on Easter day, over a year, for sick people; but they misdo very deeply, that the holy housel should become mouldy, and will not understand, how great a penance the Penitential enjoins, if the housel be mouldy or discoloured, or if it be lost, or if mice or beasts eat it through negligence. housel should be kept with great care, and not be retained: but other new be hallowed for sick men, always every seven days, or fortnight, that it may not at least be mouldy; because the housel that was hallowed to-day is just as holy as that which was hallowed on Easter day. The housel is Christ's body, not bodily but spiritually; not the body in which he suffered, but the body about which he spake, when he blessed bread and wine for housel, one day before his passion, and said of the blessed bread: 'This is my body;' and afterwards, of the hallowed wine: 'This is my blood, which shall be shed for many, in forgiveness of sins.' Understand now, that the Lord, who could, before his passion, change the bread to his body, and the wine to his blood spiritually, that the same daily blesses, by the hands of his priests, the bread and wine to his spiritual body and blood. But the priest shall purely and carefully do God's ministries, with clean hands and with clean heart; and let him see that his oblations be not oldbaken, nor ill seen to; and let him always mix water with the wine; because the wine betokens our redemption through Christ's blood, and the water betokens the people for whom he suffered. Great honours they merit who minister to God with zeal and devotion; and also it is written, that he is accursed, who doth God's ministry with carelessness. We may by this know, that a man who has not his sight should not dare to celebrate mass, when he sees not what he offers to God, whether it be clean or foul. No man shall celebrate mass with any other vessel, save the chalice which is blessed thereto. We command you, mass-priests, that ye command all the people, who look to you, and over whom ye are confessors, that the four first Easter-days be freed from all servile work:

X. add. Here the text in X. ends; a leaf or more being cut out of the us.

rneod rnam beorler hært-nybe. 4 healde mann Sunnan-bæger rneolr. rnam Sætenner-bæger none of Conan-bæger hhtmge. 4 ælcer mærre-bæzer rneolr. he on une cyne-hlaropber ýlopena oazum. y on upe ropzenzena, zerette y bebodene pænon to rneolre. And rærte mann þænte rpa rela daga rpa bæn to rærtene anænde pænon y benung to-gerett ig. And rærte ælc mann tpelr monað ælcne Fpize-bæz- buton rpam Cartnon of Pentecorten. 4 ert rham middan-pintha of reoron niht oren tpelrtan bæz. butón hýt rý ealler rolcer rneolr. obbe bæp rul benung to ry. eller nage nan man byrer bæger rærten to abnæcenne. And pe birceopar zenæbbon. þa pe ætzæbene pænon. F eall beobrcipe rærte to-ronan Sca Wanian mærre-bazum. y to þæna halizna aportola mærre-bazum. y p man ælcne Podner-dæge geringe on ælcum mynrtpe þa mærran Contra paganor. 4 ælc mærre-preort æt hir cyrcan **do þ rý**lfe:-

xxxvii. Nu ze habbað zehýneð annæðlice hpæt eop to bonne ir gi hpæt eop to ronzanne ir zir ze or þýrum doð pe nazon zepeald. g pe pýllað beon clæne on Iroder dome. Irod zeunne eop fi ze hit moton rpa aneðizan rpa eopen þeanr rý:

because at that tide all the world was freed from the thraldom of the devil. And let Sunday's festival be held, from the noon of Saturday until the dawn of Monday; and every mass-day's festival, which in the days of our royal lord's ancestors, and of our forefathers, was appointed and ordered for a festival. also let as many days be held as fasts as were then established for fasting, and for which service is appointed. And let every man fast every Friday during the year, except from Easter to Pentecost; and again, from Christmas till seven days after twelfth day, unless it be a festival of the whole people, or there be full service thereto; otherwise no man ought to break the fast of this day. And we bishops have ordained, when we were together, that all the nation should fast before the mass-days of Saint Mary, and on the mass-days of the holy apostles; and that there be sung every Wednesday, in every minster, the mass 'Contra paganos;' and that every mass-priest do the same in his church.

37. Now ye have heard positively what ye have to do, and what to forego: whether ye will do any of them or not, is not in our control, but we wish to be pure at God's judgment. May God grant you, that ye may so resolve as may be beneficial to you.

•ÆLFRIC'S PASTORAL EPISTLE.

PROLOGUS VENERABILIS ÆLFRICI ABBATIS.

Ælfricus Abbas Vulstano venerabili Archiepiscopo salutem in Christo. Ecce paruimus vestræ Almitatis jussionibus transferentes Anglice duas Epistolas quas, Latino eloquio descriptas, ante annum vobis destinavimus; non tamen semper ordinem

TO BEDADEDUO OANNUO.

- i. Ur bircopum geoarenat. I pe ha godcundan lane. De une canon ur tæct. I eac he ur Enirter boc lænt. eop pneortum geopenan on Englircum geneone. rondam he ge ealle ne cunnon I Læden undenrtandan. I pe ne dunnon rpa-heah roppeogran. I pe eop ne recgan uner Dunttener beboda. Di lær he pe reildige beon. Zir pe hit roppeograt. ac pe pillat apenian ur. pite ge hpæt ge don riddan:
- ii. Ic pat þeah to gepiffan. Þ hit pile mirlician þeof une mýnegung eop pel manegum. rondam manegum mannum ir unniht to leof:
- III. Ic thupige beah. I rum punte abnind bunh Irod. I hine lirte zehinan ba halzan lane. I hine rilrne zenihtlæcan pille to hir azenne beanre:
- ии. Da zodan pillað zeopne zeliýnan Iroder beboda ac þa ýrelan nellað heopa pillan ac hi rculon rpa-þeah þ him on rumne ræl hunu-þinza zercamize heopa unpihter у þunh þ hunu þ hi zerpican ýreler:

The text is from D, the Latin procem from O.

*ÆLFRIC'S PASTORAL EPISTLE.

sequentes, nec verbum ex verbo, sed sensum ex sensu proferentes, quibus speramus nos quibusdam prodesse ad correctionem, quamvis sciamus aliis minime placuisse: sed non est nobis consultum semper silere, et non aperire subjectis eloquia divina; quia si præco tacet, quis judicem venturum nuntiet? Vale feliciter in Christo.

TO MEN IN ORDERS.

- 1. It behoves us bishops, that we disclose to you priests, in the English tongue, the divine doctrine, which our canon prescribes to us, and which also the book of Christ teaches us; because ye cannot all understand the Latin, and yet we dare not silently refrain from telling you our Lord's commandments, lest we should be guilty, if we silently refrained therefrom; but we desire to guard ourselves: see ye to what ye may do afterwards.
- 2. I know, however, for certain, that this our admonition will displease a good many of you; because to many men is unrighteousness too dear.
- 3. I trust, however, that one or other will be stimulated by God, so that he desire to hear the holy doctrine, and will correct himself to his own benefit.
- 4. The good will willingly hear God's commandments, but the evil will not, of their own will; but they shall, nevertheless, one day certainly be ashamed of their unrighteousness, and thereby, at least, desist from evil.

- v. Ire pneortar reulon eopenne had healdan appunölice. 9 mid zodum þeapum rýmle zezlæncan. 9 mid clænum mode Epirte þenian. æt hir halgan peorode. ppa rpa eopnum hade zepirt. ropðam þe ze rýnd zepette roðlice to lað-þeopum 9 to lapeopum oren Ioder rolc. F ze hi Iode zertpýnon:
- vi. Địờ timan rỳnh zetealde on bijrene poplde. An tima pær æn Iroder æ on bana heah-ræbena timan ba ieo pænon-Oben unden Iroder laze on Coyrer j on bane pitezena timan. Djudde unden Irurer azenne zire on chijtenan tidan ærten Irurer to-cyme:
- Figure on ham popman timen ærren Adame hit pær
 men pundon on rærcheum lurtum y on opmætum rynnum. y rume on hædenreipe unpæplice gelirdon. y mid
 deorler bizzænczum hý rilre rophidon. y hone Scippend roprapon. de hi zercop to mannum. y h hý didon huph dær
 deorler lane. he hyllum æn Adam roplænde:
- with Direct bas pe Climber Irobs on Cooper timans beer mænan henestogans manseynne to preopes gerette ha fir becson ham he if Irober lagus y Cooper hi appars y manseynne popheads hig nænne hæbengene habban ne mortons ac reulon ærne pundian hone poban Irobs he ana if Climber Scippend. Y reo lagu pophead eac pulce manseynne finna to gernemmennes y eac lablice geptenode ha be police ringodon:
- IX. Da æt nihrtan roblice re robrærta Epirt rile þær Elmihtigan Isober runu- þe ealle þinge gereop- cóm on þar poplo- mið robne mennirenerre- to þi þ he polde þa rýnrullan alýran or deorler þeopete- y þa roplopenan men on hrer pege gebrýngan- y artealde epirtendom on elænnerre- rile birnode y tæhte þa elænnerre þe he lupað on hir elænum þenum- þe him reulon þeopian rimle on elænnerre. Þ ir on munæcum y minicenum- y hupu on mærre-ppeortum. Y re ilea Isober runu gecear him to medden þ elænnerre- y he ana punode on dýrrepe poplde on rulpe elænnerre- y he ana punode on dýrrepe poplde on rulpe elænnerre- pa rpa nan oðen man. Iohanner eac re rulluhtepe- þe hine gerullode- þuphpunode ærpe on enihthade- on micelpe rophærdnerre- y on elænnerre. And Iohanner re goðrpellepe- uper Djuhtener nýð-mæg-punode on enihthade y on elænnerre- oð hir lirer ende:

- 5. Ye priests should religiously observe your order, and always adorn it with good habits, and with pure mind minister to Christ, at his holy altar, so as is befitting your order; because verily ye are placed as guides, and as teachers over God's people, that ye may gain them to God.
- 6. Three periods are reckoned in this world. One period was before God's law, in the time of the patriarchs, who were of yore. The second, under God's law, in the time of Moses and the prophets. The third under Christ's own grace, in the Christian time, after Christ's advent.
- 7. First, in the earliest time after Adam, it was, that men lived in fleshly lusts, and in enormous sins; and some heed-lessly lived in heathenism, and foredid themselves, by worship of the devil, and despised the Creator, who had formed them to men; and that they did through the devil's lore, who awhile before had misled Adam.
- 8. Then the Almighty God, in the time of Moses, the great leader, established, as a guide to mankind, the five books, in which is God's law; and Moses wrote them, and commanded mankind, that they should not have any heathenism, but should ever worship the true God, who alone is the Almighty Creator. And the law likewise forbade mankind to perpetrate sins, and also lawfully punished those who perversely sinned.
- 9. Then at last, verily, the righteous Christ himself, the Son of Almighty God, who created all things, came into this world, with real humanity, because he would redeem the sinful from the thraldom of the devil, and lost men bring into the way of life; and established Christianity in chastity; himself giving example, and teaching the chastity which he loves in his pure ministers, who have ever to serve him in chastity; that is in monks and mynchens, and especially in mass-priests. And the same Son of God chose him for mother the chaste maiden St. Mary. And he is himself the source of all chastity; and he lived alone in this world in perfect chastity, so as no other man. John also, the Baptist, who baptized him, continued ever in celibacy, in great abstinence, and in chastity. And John the Evangelist, our Lord's kinsman, continued in celibacy and in chastity, till his life's end.

- x. Cac þa tpelr aportelar. þe þam Dælende rolgodon. þa þa he hen on poplde punode. mið mannum. y tpa y hundreorantig pena. þe punodon mið him on hir lapeopdome. þa rýnd leopninge-enihtar on bocum genamode. ealle hi ropleton heona popld-æhta y pir. y punodon on elænnerre. Enirte rolgigende. rpa rpa Pethur dide. þe to Enirte rilrum þur eræð. Ecce nor peliquimur omnia. et pel. þ ir on Englire. Erne pe ropleton ealle upe popld-þinge. y pe þe rolgiað nu. y áa rpa pillað:.
- xi. Ie fculon pitan- zir ze pirom luriao. hpæc rý betpux cam tpam zecýčnejrum- cape ealdan é æp Epirter to-cýmey þape nipan zecýčnejre undep Epirter zire- popon þe men morton æp Woyrer laze mirthice libban- y undep Woyrer é man-cýn eac liopode on oche piran- on ochan pe rculan nu don be uner Dpihtener lape:
- xII. On ealbum bazum men horobon be heona azenum lurtum to ppipe æn Enifter to-cýme ac he cpæð p pe prolbon mið renecum mobe reiðlicon libban y pinnan pið leahtnar y unlurtar ronreon. p pe ert pið þam heorona nice habban moton:
- xIII. And he eac creed be ham mantinum he he pitte topeande ærten hir hnopunge he ærten ham hnopedon ron hir
 lure i gelearan. Ne ondræde ge eop he cræd ha de orrlead
 eopenne lichaman rondon he hi ha raple orrlean ne magonac ondrædad ha he ha raple mæg i eac hone lichaman on
 helle beræncan. Dunh dar minegunge i huph manega odnepundon gemantinode manega hurenda pide into dar popilo ge
 penar ge pirmen ron Epitter gelearan i hi mid annædnerre
 rpa i mid renecnerre geeannodon heorona nice. Ert cræd
 une Dunhten be hir halgum andettenum he pe hatad conrerroner on halgum bocum. Sint lumbi uertni precincti i
 lucenne andenter in manibur uertnir. Beod eopne lændena he
 cræd imb-ginde i leoht-ratu binnende on eopnum handum:
- xiv. On bam lændenum ir zetacnad. rpa rpa pe leopniad on bocum. reo rule zalner. I pe rærtlice rculon ba zeppiban I zepildan. ur to clænnerre. I habban ur on handa upe leoht-ratu. I rýn halize peopic rýmle. on ælmer-bædum y on eallum zobnerrum. mannum to birne:

- 10. Also the twelve Apostles, who followed the Saviour, when here in the world he dwelt with men; and the seventy-two men, who continued with him during his teachership, these are named his disciples in books; all these forsook their worldly possessions, and wives, and continued in chastity, following Christ, so as Peter did, who to Christ himself thus spake: 'Ecce nos reliquimus omnia,' &c., that is in English: Behold, we have forsaken all our worldly things, and we follow thee now, and ever so will.
- 11. Ye ought to know, if ye love wisdom, what difference there is between the two testaments; the old law, before Christ's advent, and the new testament, under Christ's grace; for before the law of Moses, men might live variously, and also under the law of Moses, mankind lived in another manner: it is our duty now to do otherwise, according to our Lord's doctrine.
- 12. In ancient days, before Christ's advent, men lived too much after their own lusts; but he said, that we should, with strong mind, live more rigidly, and strive against sins, and despise evil lusts, that we, in return therefore, may possess the kingdom of heaven.
- 13. And he also spake of the martyrs, who, he knew, were to be after his passion, who suffered afterwards for his love and faith: 'Fear ye not,' said he, 'those who slay your body, for they cannot slay the soul; but fear those who can sink the soul and also the body into hell.' Through this admonition, and through many others, many thousands were martyred widely over the world, both men and women, for Christ's faith, and they so, with their constancy and firmness, merited the kingdom of heaven. Again spake our Lord of his holy confessors, whom, in holy books, we call 'confessores:' 'Sint lumbi vestri præcincti, et lucernæ ardentes in manibus vestris,' Be your loins,' he said, 'girded about, and lamps burning in your hands.'
- 14. By the loins is signified, as we learn in books, foul libidinousness, and we ought to bind and control it, for our chastity, and have our lamps in hand; these are holy works constantly, in alms, and in all good deeds, for example to men.

xv. Iohanner pe zoorpellene on hir zartlican zerihõezereah upne Djuhten proban he to heoronum artizen pærmid alban zerchidne y peo pær pid niden od da andeleopa y mid zildenum zindle hir bneort pær beranzen:

xvi. De het ur bezindan une lændena. ppa p pe popreon pa pulan galnerre. I he rilp pær bezind mid gildenum gindle æt hir halgum bneorte. pondon pe pe eac habban reulon uner moder clænnerre rymle on unum heontum. pe hunu pe Enirte peniad on hir peopdome:

xvII. Ert Daniel je piteza appat on hij pitezunge. Þ he God zerape on hij zartlican zerihőe. J he cpæő. De pæj linen pept. J hij lændena pæpon ýmb-zipde. Iohanner zereah. ppa jpa pe jædon æp. Þone Dælend ýmb-zipde æt hij halgan bpeorte. J Daniel zereah þa lændena bezipde:

xviii. Nu if uf zerputelab foolice mid þam. ze on bape ealdan æ ze eac on bape nipan. Þ Irob pile habban on hif zaftlican þeopdome halize þenaf y halize þinena. Þa be mid clænnerre lichaman y moder Þ halize hurl him zeoffnan. rpa fra he filf zetæhte æn hif bnopunge:

xix. Direr pænon zemýndize þa mænan andettenar þe pe hatað conferroner y þa halgan mædena þe on clænnerre lirebon heona lir ærne:

xx. Die zepeand æften uner Duhtener phopunge y æften hir up-feize p je Dalza Kart com of heoronum to eondanfra fra pa binnende fin mid bradum lize ofen Enifter aportelar fra fra Enift him æn behet y hi ealle zerilde buton fræcednyfre fra p hi ealle cudon ealna deoda zepeond y hi ealle þa lane þe pe leonniad on bocum apjuton y zeretton be Koder azenne piffunge. Di pophton eac fela pundra þunh Enift y da ýlcan pundra þe he filf æn zepophte. And þa bodode on dam dazum Pethur on dane biniz Ienuralem þam Iudeircum folce y þa zepeand hit þ zebuzon æt oðne bodunge zit ma manna y fra micclum pundon onbninde þin heora æhta ealle zerealdon y þ peond brohton to dana aportla fotum y heora nán næfde fiddan nan þinge finden-

- 15. John the Evangelist, in his ghostly vision, saw our Lord, after he was ascended to heaven, clad in a white garment, and it was wide, down to the ancles, and his breast was confined with a golden girdle.
- 16. He bade us begird our loins, so that we may despise foul libidinousness; and he himself was begirt with a golden girdle at his holy breast; therefore we also ought to have our mind's chastity always in our hearts; we especially who minister to Christ in his ministry.
- 17. Again, Daniel the prophet wrote in his prophecy, that he saw God in his ghostly vision; and he said: 'He was clad in linen, and his loins were girded around.' John saw, as we before said, the Saviour girded about his holy breast; and Daniel saw the loins girded.
- 18. Now is it truly thereby manifested to us, both in the old law, and also in the new, that God will have, in his spiritual service, holy ministers male and female, who, with chastity of body and mind, may offer to him the holy housel, so as he himself taught, before his passion.
- 19. Of this were mindful the great confessors, whom we call confessores, and the holy maidens, who lived their lives ever in chastity.
- 20. It happened, after the passion of our Lord, and after his ascension, that the Holy Ghost came from heaven to earth, as a burning fire, with broad flame, over Christ's apostles, as Christ before had promised to them, and filled them all, without peril, so that they all knew the languages of all nations, and all the lore, which we learn, they wrote in books, and established by God's own direction. They wrought also many miracles through Christ, and the same miracles which he himself had before wrought. And then, in those days, Peter preached in the city of Jerusalem to the Jewish people; and then it happened, that three thousand men submitted to baptism in one day; and again, at another preaching, yet more men, and were so greatly stimulated, that they sold all their possessions, and brought the worth to the feet of the apostles:

licer ac bidon him eal gemæne ælcon be hir neode. And Iacob re nihrpira aportol bepirte hi ealle buttig geana:

xxi. Den pær artealo þunh þirne halgan heap þana muneca lif þe libbað ærten negole unden heona abbode gealle heona dingt him doð gemæne rpa rpa him diht re abbod. I þa riððan to-rendon þa aportolar pide lander geond ealle þar ponlo pundna pýncende I bodigende nihtne gelearan I þa gelirendan hi rullodon I cincan anændon I geretton bircopar I mærre-pneortar gehadedon I manega Ioder þeopar on dam reoron hadum geendebindan rpa rpa ur regð re canon I Ioder geleara peox riððan I panode re hæðenreipe:

xxII. Dpæt ås ærten ham hit gepeand riddan ås arpnang rænlice onmæte ehtner oren ås chirtenan pide y ride y man hi gemantinode mid mænifealdum pitum y mært ælene acpealde he on Enirt gelipde. Ac Itod geponhte ærne pundna on-gemang åsm hunh hi rpa þ ha hædenan de nadon hunh þ on Enirt gelipdon. Ort ge hurend manna ætgædene gelipde han man ænne mantin orrloh hunh ås micelan tacna he re halga gernemode. And re chirtendom ne milite beon hanonrond acpænced nærne y Itod eac ærten ham ha realde riddan ribbe y lirre on poplde y re geleara peox pide y ride:

xxIII. Da peng pe capepe Conptantinup to pice on Romana bipig. 9 pe picer peolò open ealne miòban-capò. 9 he pær pe popma capepe pe on Chipt gelipòe. Sca Delenan punu bane eadigan cipene. 9 pe het da gadenian bipcopa pinoò polòe gehipan pa halgan lape. 9 pone podan gelearan be pam pobræptan Gode. De hund bipcopa 9 eahtatyne bipcopar pide geramnode. 9 pe capepe com him to-geaner. 9 mid ealne appuponerre hig gepilcumode. 9 him eallum het don andiran genohne. 9 heopa lape lipte mid gelearfullum mode. 9 pap pæpon heopa manega pe mihton pypcan openlice punopa puph God. 9 hi punodon dan lange æt-gædepe:

xxiv. Dan pær eac öa rum anlear pneort. re pær Annianur gehaten. or Alexanonian binig. I re pær ablænd on hir mode.

and none of them had afterwards anything separate, but made all in common, each according to his need. And James, the righteous apostle, directed them all for thirty years.

- 21. Here was established, through this holy company, the life of those monks, who live according to rule, under their abbot, and have all their things in common, as the abbot directs them. And then afterwards, the apostles went apart, far away, over all this world, working miracles, and preaching true faith; and the faithful they baptized, and raised churches, and established bishops, and ordained mass-priests, and distributed many servants of God into the seven orders, as the canon tells us: and God's faith waxed afterwards, and heathenship waned.
- 22. What then? After that it happened that there sprang up a boundless persecution against the Christians, far and wide, and they were martyred with manifold torments, and almost every one slain, who believed in Christ. But God constantly wrought miracles among them through these; so that the heathens thereby the sooner believed in Christ. Oft even a thousand men together believed, where one martyr was slain, through the great miracles that the saint performed. And Christianity might not thenceforth be ever quenched; and God also gave afterwards peace and remission in the world, and the faith waxed far and wide.
- 23. Then the emperor Constantine succeeded to the empire, in the city of Rome, and he swayed empire over all the world; and he was the first emperor who believed in Christ, the son of Saint Helena, the blessed queen: and he then bade assemble a synod of bishops; he would hear the holy doctrine, and the true faith in the righteous God, in whom he believed. Then there came together, in the city of Nice, three hundred and eighteen bishops, assembled from afar; and the emperor came to meet them, and with all reverence welcomed them, and commanded abundant provision to be made for them all, and listened to their doctrine with faithful mind: and there were many of them who could openly work miracles through God; and they long continued there together.
- 24. There was also then an impious priest, who was called Arius, from the city of Alexandria: and he was blinded in his

y re mærta zeopola pe or man-cynne come. Se poloe zelithan pone ligizendan Dnihten. y ræde p he næne on roope zod-cundnerre hir ræden zelica. ac pæne lærre on mihte:

xxv. Da amançumodon þa bircopar þone mançullan geopolanac he nolde gerpican þeah hir geopildere æn dam þe he roppeand mid-ealle:

xxvi. Oben rinob pær ert oben healt hund bircopa pidan geramnod on Theodoriur timan þær æþelan carener. 9 hi þan rondemdon þone dpeligendan bircop þe pær Wacedomur gehaten 9 hine amanrumodon rondam de he pidroc 9 ræde on hir gedpilde. Bre Dalga Hart næne on nanne godcundnerre mið þam heofonlican Fæden 9 þam Dælendum Epirte. 9 hi getæhton da rpitollice bre roð Iroð ir on anne godcundnerre mið þam Elmihtigan Fæden 9 hir acænnedan Sunu ærne punigende:

xxvII. Se þjubba rinoð pær tpa hund bircopa. unden þam gingpan Theodorige. I hi rondemdon þan Nertopium þone gedpolan þe dipitulice cpæð. F on Epirte pæpon tpegen hadar. I hi hir gedpild adpæreton þan mið-ealle. rondam þe une Dpilten ir rodlice on anum hade ærne punigende:

xxvIII. Se reopă rino pær rix hund bircopa y *xxx-racepda rpide pidan zezadepode on Waptimianer timan pær mæpan careper. Se rino ropdemde pone deorollican abbod pe cpæd on hir zedpilde p uper Dpilitener lichama y hir zodcundner pæpe aner zecynder. Da peand he amanrumod rpam pam micclan rinode roppam pe Epirt ir rpa rpa ze zehipdan opt rod man y rod Iiod rimle punizende:

xxix. Sibban pænon pop opt obne pinobar pipna bircopapide on poplde- ac þar pænon þa pipmertan- þe mið rulpe lape þone zelearan zetnýmbon- y þa zebpolan amanrumeðon- þe mið heona zebpilde poldon apændan poh to pihte- y abpelian man-cýn rnam heona Dpihtene:

xxx. Dar reopen rinosar geretton eac sa ealle pa penunga pe pe habbas on Loser peopoome to mærran y to uht-range y to eallum tid-rangum y hi rophudon ælce pirunga ærne peorod-benum y hunu mærre-pneortum:

mind, and the greatest heretic that had come of mankind. He would lessen the living Lord, and said, that in true godhead he was not equal to his father, but was less in might.

- 25. Then the bishops excommunicated the wicked heretic; but, nevertheless, he would not cease from his heresy, ere he totally perished.
- · 26. A second synod was afterwards, of a hundred and fifty bishops, assembled from afar, in the time of Theodosius, the noble emperor; and they there condemned the heretical bishop, who was called Macedonius, and excommunicated him, because he denied, and said in his heresy, that the Holy Ghost was in no godhead with the heavenly Father, and the Saviour Christ. But they there taught manifestly, that he is true God, ever dwelling in one godhead with the Almighty Father, and his begotten Son.
- 27. The third synod was of two hundred bishops, under the younger Theodosius, and they there condemned Nestorius the heretic, who audaciously said, that in Christ were two persons; and they there totally extinguished his heresy; because verily our Lord is ever continuing in one person.
- 28. The fourth synod was of six hundred bishops, and thirty priests, assembled from very far, in the time of Martian the great emperor. The synod condemned the diabolical abbot, who said in his heresy that our Lord's body and his godhead were of one nature. Then was he excommunicated from the great synod, because Christ is, as ye have often heard, true man and true God, ever continuing.
- 29. Afterwards there were very often other synods of wise bishops widely throughout the world, but these were the principal, who with full doctrine confirmed the faith, and excommunicated the heretics, who with their heresy would turn wrong to right, and seduce mankind from their Lord.
- 30. These four synods then also appointed all the services which we have in God's ministry, at mass, and at matins, and at all the canonical hours: and they forbade all marriages ever to ministers of the altar, and especially to mass-priests.

xxxi. Seoron tid-rangar hi geretton ur to ringenne dæghpamlice unum Diihtene to lore rpa rpa re piteza Dauid on hir pitezunze cpæð. Septier in die. et pl. Seofon jidan. min Dpihten he cpæð ic ræde þe lor on anum dæge rop þinna doma nihtpirnerre. Se ronma tid-rang ir uht-rang. mid ham ærten-ranze þe þan-to zebinað. pnim-ranz. undenn-ranz. middæz-ranz. non-ranz. æren-ranz. niht-ranz. Dar reoron tid-rangar ze rculon ringan mid micelum zemynde eoppum Dultene to lore bæzhpamlice on cincan ærne on zeretne timan. y eac ppilce on pihtne timan mærrjan. And micel bid b man more mærrian æne to anum bæze. beah be hit man orton ne do rondam une Duhten æne propode y ur ealle alýrde. I nu ir reo mærre þe man mærrað zemýnd hir mænan ppopunge. 4 micclum mæg heo rpemian eallum mancynne. ze libbendum ze ropč-rapenum. rpa rpa pe leopniač on halzum bocum. I ropčam man rceal zeopne eac mærrian mið micelpe clænnerre. rpa rpa ja halgan biban je pe hatab conrefroner. Sume hi pænon punizende ærne buton pire- rume hi ropleton p unalyrede pingc. 4 mid clænnerre Epirte penodon· rpa rpa ja canonar ur cýdað· 4 openlice beodað. β ir p nan bircop. ne nan mærre-ppeort. næbbe on hir pican. ne on hir hure punizende. ænizne pijman. buton hit rý hir modon obše hir rpurton. rabu obše modonize. obše maze or Bam. be ne maze van unhliga apppingan. I zir he eller bo. je canon cpæð þ he folige hir haðer:

xxxII. Dir eop pneortum bingo herelic. rondam le ze habbad on zepunan eophe mirdæda. rpa þ eop rilrum þingo. Þ eop nan rin ne rý þ ze mid pirungum rpa libban. rpa rpa læpede men. y zereczad þ Petnur re aportol hærde pir y cild. y pe eac reczad þ he rpa hærde. y rume þa odne. þe unum Dnihtene rolgedon. hærdon eac pir y cild æn heona zecinnednerre. ac hi zerpicon dær riddan hiz coman to Enirter laneopdome. y heona æhta y pir ronleton. y ealle heona popid-þingo:

xxxIII. L. pe ne mazon eop nu neadunza nýdan to clænnerre ac pe mýnziad eop rpa deah. P ze clænnerre healdan rpa rpa Luirter þeznar rculon. on zodum zeþinzdum. Lode to zecpemednerre. rpa rpa þa halgan didon de pe hen berghan pæddon. þe eal heopa lir liredon on clænnerre:

- 31. Seven canonical hours they appointed for us to sing daily to the praise of our Lord; as the prophet David said in his prophecy: 'Septies in die,' &c. 'Seven times, my Lord,' said he, 'I have said thy praise in one day, for the righteousness of thy judgments.' The first canonical hour is matins, with the after song appertaining thereto, prime, tierce, sext, none, vespers, compline. These seven canonical hours ye should sing with great attention, to the praise of your Lord, daily in church, always at the appointed hour; and, in like manner, celebrate mass at the appointed time. And it is much that mass may be celebrated once in one day, though it be not celebrated oftener; because our Lord suffered once. and redeemed us all; and now is the mass, which men celebrate, a memorial of his great passion; and much can it effect for all mankind, both living and departed, so as we learn in holy books; and therefore should mass also be fervently celebrated, with great chastity, so as those holy men did, whom we call confessors. Some of these ever continued without wife, some of them forsook that unallowed thing, and served Christ in chastity, so as the canons inform us, and openly command: that is, that no bishop nor priest have in his monastery, or in his house, any woman, unless it be his mother, or his sister, father's sister, or mother's sister, or a relation of them, from whom no evil report may spring up: and if he do otherwise, the canon says, that he should forfeit his order.
- 32. This to you priests will seem grievous, because ye have your misdeeds in custom, so that it seems to yourselves, that ye have no sin in so living in female intercourse, as laymen; and say that Peter the apostle had a wife and children; and we also say that he had so; and some others, who followed our Lord, had also wives and children, before their conversion, but they abstained therefrom after they came to Christ's teaching, and forsook their possessions and wives, and all their worldly things.
- 33. Beloved, we cannot now forcibly compel you to chastity, but we admonish you, nevertheless, that ye observe chastity, so as Christ's ministers ought, in good reputation, to the pleasure of God; as those saints did, whom we before mentioned, who all their lives lived in chastity.

xxxiv. L. reofon hadar rýndon zerette on bocum· to Loder benunzum into Loder cipcan. An ir hortianiur oden ir lector dnidde exopcirta reopde acolitur pirta rub-diaconur rixta diaconur reofoda pherbiter riue epircopur. Dortianiur ir dunu-peand repe cipcan cæzan healt. Lector ir pædene repe pæt on cipcan. Exopcirta ir halrizend repe pæt open da pit-reocan men y ha untnuman. Acolitur ir repe lecht bend æt Loder henunzum. Sub-diaconur ir under-diacon repe hone calic y hone dire bend to dane mærran. Y henad ham diacone. Diaconur ir zecpeden hezn repe henad dam mærreppieorte. odde ham bircope. æt dane mærran. Y zodrpel pæthe mot eac hlar rillan y cild rullian. Zir þeanr bið:

xxxv. L. undeprtandad b bezzen rind on anum hade- re bircop y re mærre-pheort- b ir on dam reordan cipic-hade- rpa rpa ur halize bec reczad- y bezzen hi mærriad y mannum bodiad- y bezzen hi rculon zelice clænnerre healdan- y odnum mannum piht bodian- y pel birnian- y nir nan had zeteald to bane halzan benunze- buton da reoron hadar be pe ron areczad:

xxxvi. Se bijcop if þeah geret jumer to manan bletrunge bonne je mærre-pheoft fy. þ if cincan to halgigenne. y to habigenne pheoftar. men to bijcopienne. y to bletrigenne eleponbam hit pæne to mænigreald. gir ealle mærre-pheoftar þir bon morton:

xxxvii. Pheortum zedarenad þeah. pon dam ealdonreipe. Þ hi heona bircope beon eadmodlice undenþeodde. J be hir pirrunze y pirdome libbon. J he hi orenreapize. J heona piran bezime. pra pra hir nama prezed. hir nama ir zecpeden epircopur. J [ir] orenreapizend on Enzlire. Þ he orenreapize rýmle hir undenþeoddan. J hi zenihelæce to juhtum þeapum. ærne pra he zeonnort mæze:

xxxviii. Se popma bircop pær þe Iroð rilt gerette on sane ealsan lage. Kápon gehaten re pær Woyrer bnosop þær mæpan hene-togan ac he ne mærrose nærne popsam þe nan mærre nær geret ænsam þe Epurt rilt on sane nipan

- S4. Beloved, seven orders are appointed in books for God's ministries in Christ's church. One is ostiarius, the second is lector, the third exorcista, the fourth acoluthus, the fifth subdiaconus, the sixth diaconus, the seventh presbyter or episcopus. Ostiarius is the doorkeeper, who holds the keys of the church. Lector is the reader who reads in church. Exorcista is an adjuror, who reads over men diseased in mind, and the infirm. Acoluthus is he who bears the light at God's ministries. Subdiaconus is the under deacon, who bears the chalice and the dish at the mass, and ministers to the deacon. Diaconus the minister is called, who ministers to the mass-priest, or to the bishop, at the mass, and reads the gospel: he may also give the bread, and baptize children, if need be.
- 35. Beloved, understand that both are of one order, the bishop and the mass-priest, that is, of the seventh church-order, as holy books tell us; and both celebrate mass, and preach to men, and both ought alike to observe chastity, and preach righteousness to other men, and set good example: and no order is reckoned for the holy ministry, except the seven orders which we have before mentioned.
- 36. The bishop is, however, appointed, in some degree, for greater benediction than is the mass-priest; that is, to hallow churches, and to ordain priests, to confirm men, and to bless the oil; because it were too multifarious, if all mass-priests must do this.
- 37. It is proper, for priests, however, on account of that seniority, to be humbly subordinate to their bishop, and live by his direction and wisdom; and that he superintend them, and heed their courses, so as his name expresses: his name is called episcopus, that [is] in English, overseeing, because he constantly oversees his subordinates, and directs them to proper manners, ever as he can most earnestly.
- 38. The first bishop, whom God himself appointed in the old law, was called Aaron, he was the brother of Moses the great leader; but he never celebrated mass, because no mass was established, before Christ himself, in the new covenant,

zecýčnerre zehalzobe hurel. I het ur ærten čam eac rpa bon ron hir zemýnbe:

xxxix. Nu pær reo mærre artealo bunh unne Dnihten Epirc. Tre halza Petpur aportol zerette bone canon bapto de pe Te izitun cpedad. Se Aanon rcolde. 4 ha ealdan bircopar. Se 160 pæpon. orrpian Lode. on Sa ealdan piran. reappar. 4 pammar. 4 zehpilcer cynner nitenu. rpa rpa nan man ne mot on birum bazum bon· ropbam be ba orrpunza ealle zetacnobe uner Dnihtener rleze. be pær orrlazen ron ur. y on node zerærtnod. ron une alyrednerre. y he ha rpa zeendode ha ealdan zeretnerre. And ha morte on dam dazum re Rapon y hir ærtep-zænzan riððan niman him to zemacan. ærten Woyrer lage an clæne mæden rondam je nan ne morte or nanum obnum cynne becuman to bam habe p he bircop pæne. buton or Kanoner cynne. 4 hiz ne morton na pirian eac on nanne pudupan ne on roplætenum pire be Lober leare ac on clænum mæbene y heopa clænnerre hi rculon beah healdan. rpa ort rpa hi ærne orrnodon þa láclican lac þe da zepunelice pæpon. hi morton ha rop neode pir habban on ðam dazum. ή ne punde aceonod hunu ή mæne bircop-cýn þe com or Tapone. ropčam be nan cyn ne morte becuman to pam hade. buton p an cyn pe com or dam Aapone. y hit rtod ærne bur on dane ealdan æ:

xL. Nu ir reo ealde lazu zeendod ærten Enirter to-cýme. y men ne ceorao nu on oirrene chirtenan laze or nanum bircopcynne obenne bircop. ac or ælcum cynne þan ban he clæne bio 4 on deapum zehozen to Loder henunzum. Ze or munuc-Captinur pær munuc. y he pær habe ze or pneort-habe. riððan mæne bircop. Enezoniur pær munuc. 3 he pær mæne bircop. Lubbenhtur pær munuc. 4 mæne bircop. 4 manega oone or munuc-hade bircopar pænon. rpa rpa pe on bocum nædað. And eac or ppeort-hade on clænnerre libbende pæpon mæpe bircopar y mærre-ppeortar. on micelpe opohtnunge. rpiče halize penar. Še pe hataš conferroner. Ac ze preortar rume pıllağ beon. þær þe pe penağ y heande ondnædağ. or bam yrelan heape zehabobna manna. be bam be une Dnihten cpæð on hir halgan goðrpelle. Qulti dicunt mihi in illo diehoc ert. in die iudicii. Domine. Domine. et pel. De cpæd. Olaneza cpečač to me on čam micclan dom-dæge. Dpihten. Djuhten leor on upum life pe pophton be to pundunge hallowed housel, and commanded us afterwards so to do in remembrance of him.

- 39. Now was the mass established by our Lord Christ; and the holy apostle Peter appointed the canon thereto which we call 'Te igitur.' Aaron, and the old bishops, who were of yore, offered, it is said, to God, in the old manner, bulls and rams, and cattle of every kind, so as no man in these days may do; because all those offerings betokened the slaving of our Lord, who was slain for us, and fastened on a rood, for our redemption; and he then so ended the old covenant. And then, in those days, must Aaron, and his successors afterwards take to them for mate, according to the law of Moses, a pure maiden; because no one of any other race might come to the degree of bishop, except of Aaron's race: nor might they marry with any widow, nor with a repudiated wife, with leave of God, but with a pure maiden; and they should, nevertheless, preserve their chastity, always as often as they offered the sacrificial offerings which were then usual. They must then of necessity have wives in those days, that, at all events, the great episcopal race, which came of Aaron, might not be extinguished; because no race might come to that degree, except that one race which came of Aaron; and thus it ever stood in the old covenant.
- 40. Now is the old law ended after Christ's advent; and men now, under this Christian law, do not choose another bishop of any episcopal race, but of any race, provided he be chaste, and grown up in manners for God's ministries, whether from monkhood or from priesthood. Martin was a monk, and he was afterwards a famous bishop; Gregory was a monk, and he was a famous bishop; Cuthberht was a monk, and a famous bishop; and many others were bishops from monkhood, as we read in books. And also from the priesthood living in chastity were many bishops and mass-priests, in great renown, very holy men, whom we call confessors. But ye priests will some be, as we think and greatly fear, of that evil crew of men in orders, of whom our Lord spake, in his holy gospel: 'Multi dicunt mihi in illo die, hoc est in die judicii, Domine, Domine, &c. He said: 'Many will say to me in that great day of judgment, Lord, beloved Lord, in our lives we wrought in thy honour many miracles in thy great name, and we also

manega tacna on dinum mæpan naman. I pe eac pitegodon þe to pundmynte. Donne cpæð upe Dpihten him to. Ne can ic eop na. ne ic eopen ne piecce. ac gepitad pade rpam me ge unpihtpiran piphtan. I puniad aa heononfond þan dan bið ece pôp I toda gjurtbitung:

RLI. Epirt pat ealle junge ac he ne onchæpð mið ænigum goðe jonne þeah ja unclænan peoroð-þegnar þe ne gecpemdon him æn hen on life mið jane clænnerre þe hig healdan reoldonne hi eac jonne nan dinge nabbað þær je him licige ne hi rpa rule ne moton into hir rægepan heoron-healle ac beoð utan belocene to dam ecum pitum helle piter. And ne mæg jeah re ýrela pneort mið hir ýrelnerre þeah de he mandeonr rý manrul on dædum ne mæg he nærne Itoder þenunge gerlan naden ne je rulluht ne ja mærran ac eal him rilrum cýmð to hearme je he on unniht gediðe. Nu ge habbað gehineð be gehadoðum mannum ge on dane ealdan lage ge on dane nipan gecýðnerre hu hit gelagoð pær pannað eop rilre be þam þe ge pillað:

xIII. L. canoner ur tæcað hu pe upe lir radian rculon. Lanoner rýnd zecpedene pihte pezolar þe ur zepihtlæcað. y hi beodað f reðe pudupan zemmð. on læpedum hade. him to pire. oðde roplæten pir. f he nærpe riðdan ne beo diacon ne mærre-preort. y re zehadoda þe rúl roplizen zernemme. hi cpeðað þolize hir hader:

RLIII. De ne duppan poprpeogran. pe ne pecçan eop pa halçan geretnerra pe ze healdan rculon. pe beoð unreildige zir pe hit recçað eop. pite ze hpaðen ze rilre eopnum raplum beongan. 9 eop rilre zepihtlæcan pillan. Naze ze mid pihte piper zemanan ænigan timan. ac læpede men moton pirian 9 heona piht æpe pihtlice healdan. 9 re læpeda man motærten hir piper popó-riðe. oðne riðe pirian pon neoð. 9 zeong pudupe mot ert ceoplian. ærten hipe pener ronð-riðe. ac man ne mot rpa-þeah rillan him bpið-bletrunge. buton heo mæðen rý. ac hi rculon dæðbote don ron heona ungehealdrumnerre:

xLIV. L. ze preortar rculon beon zebocobe y zepearoberpa rpa eoppum habe zebinač. Ozerre-preort rceal hunu habprophesied for thy honour.' Then said our Lord unto them: 'I know ye not, nor reck I of you; but depart quickly from me, ye unrighteous doers, and dwell ever henceforth there, where there is eternal weeping and gnashing of teeth.'

- 41. Christ knoweth all things, but he will not then, however, acknowledge with any kindness those unchaste ministers of the altar, who did not ere please him here in life with the chastity which they ought to have preserved; nor also shall they then have any thing pleasing to them, nor may they so foul enter into his fair heavenly hall, but shall be shut out into the eternal pains of hell's torments. And yet the evil priest cannot with his evil, although he be wicked and sinful in deeds, he cannot ever defile God's ministry, nor the baptism, nor the mass; but all shall come to his own harm, that he has done unrighteously. Now ye have heard concerning men in orders, both in the old law, and in the new covenant, how it was constituted: be heedful for yourselves as ye will.
- 42. Beloved: the canons teach us how we should regulate our lives. Canons the right rules are called which direct us, and they ordain, that he who of the lay order takes a widow to wife, or a repudiated wife, be never afterwards deacon or mass-priest; and they direct, that the man in orders, who commits foul fornication forfeit his order.
- 43. We dare not silently refrain from reciting to you the holy ordinances which ye ought to observe: we shall be guiltless, if we recite them to you; know ye, whether yourselves will secure your souls, and direct yourselves. Ye have not lawfully intercourse with woman at any time; but laymen may marry and justly hold their lawful wives; and the layman, after his wife's decease, may, if needful, marry a second time; and a young widow may marry again after her husband's decease; but, nevertheless, the bridal benediction may not be given them, unless she be a maiden, but they should do penance for their incontinence.
- 44. Beloved: ye priests should be provided with books, and with vestments, so as is befitting your order. A mass-priest

ban mærre-boc. ranz-bec. g næbingc-bec. raktene. g hand-boc. penitentialem. g genim. g da beon pel genihte. g he rceal habban clæne mærre-pear to Epirter benungum. And ge rculon ringan runnan-uhtan g mærre-uhton. ærne nigon pæpingum:

xiv. And pitab. I beo æle calie zepopht of mylbendum antimbre. Ilden odde reolfren. Ilæren odde tinen. ne beo he na hýpnen. ne hunu treopen. Ne man ne mærrize mid nanum odnum pate buton mid þam calice þe Epirte rý zehalzod. I hir peorod beo clæne. I pel zerenið ærre. I na mid meoxe beriled. I ne mærrize man nærre buton pine:

xivi. Papinað nu eac. ic bidde. Þæ beon betenan y pirnan on eophum garthcan chærte to Ehirter þenungum. rpa rpa eop mið hitte gebinað þæ beon rculon. Þonne þa popló-men rindon on heona popló-chærtum. Lange rceal leohnian re de læhan rceal. Yzir he nele leohnian. Þ he laheop beó hitter pirdomer. he rceal beon ert laheop miceler gedpilder. rpa rpa Ehirt rilt chæð on rumon hir godrpelle. Lecur ri ceco ducatum phertat. ambo in roueam cadent. Eir re blinda man bið dær blindan lað-deop. Þonne bereallað hi beggen on ænne pýtt. Blind bið re lað-deop þe læhan rceal Goder folc. zir he lahe ne can. ne he leohnian nele. ac mirlæt hir hýn-men. y hine riltne ronð mið:

xivii. Se mærre-pheort reeal mannum mid pihte bodian bone rogan zelearan. I him lap-rpel reczan. I ha reocan men zeneorian. I cild rullian. rpa page rpa man pagort mæze hi zepadian to rullihte. And zir re reoca læpede man zinng p man hine rmenize. He do honne hir andetnerre. I ronzire æle ynne. æn gape rmeninze. I zir he ert-zepungg. I ærten hape rmynunze hal pung. buton he hit ronhaten hæbbe. he mot pirer bnucan I rlærcer. zir he rilt pile:

xLVIII. On dane rmynunge bid læcedom. y rinna ropzirnery ne bid na hadung. rpa rpa rume men penad. And zir he ert
re man reoc bid. hine man ert rmenige. honne heapr ry. y
zir him ropd-rid zebinize. bertande man h lic pirlice. y zeopne
ha raple Lode betæcan:

should, at least, have a mass-book, books of canticles, and reading books, psalter and manual, penitential, and numeral; and these shall be sufficiently correct; and he should have clean mass-vestments, for Christ's ministries. And ye should sing sunrise matins, and mass-matins, always nine intervals with nine readings.

- 45. And know, that every chalice be wrought of molten material, of gold or of silver, of glass or of tin; let it not be of horn, especially not of wood. No man may celebrate mass with any other vessel save with the chalice which is hallowed to Christ; and let his altar be clean, and always well covered, and not befouled with dung; and let no man ever celebrate mass without wine.
- 46. Be careful also now, I pray, that ye be better and wiser in your ghostly craft for Christ's ministries, so as is rightly befitting you that ye should be, than the secular men are in their worldly crafts. Long should he learn who has to teach; and if he will not learn to be a teacher of right wisdom, he shall afterwards be a teacher of great error, as Christ himself said in his gospel: 'Cæcus si cæco ducatum præstat, ambo in foveam cadent:' 'If the blind man be the guide of the blind, then will they both fall into one pit.' Blind is the guide, who has to teach God's folk, if he neither have learning, nor be willing to learn, but misleads himself, and his parishioners along with him.
- 47. The mass-priest shall rightly preach the true faith to men, and recite sermons to them; and visit sick men, and baptize children, as speedily as they most speedily can be prepared for baptism. And if the sick layman desire to receive unction, let him then confess him, and forgive every grudge, before the unction: and if he recover, and, after the unction, become hale, he may, unless he have vowed the contrary, enjoy the society of woman, and flesh, if he himself will.
- 48. In the unction there is healing and forgiveness of sins; and it is no ordination, as some men imagine. And if the man be again sick, let him again receive unction, when it be needful; and if it happen that he dies, let the corpse be wisely buried, and the soul earnestly committed to God.

xLIX. Ac rume preortar mirodo peah ealler to rpicerægniad bonne men roporarado y unbedene gaderiad hi to dam lice- rpa rpa grædige ræmmar par dar hi hold geredo ac heom gebirad mid pilite to bertandenne ha men he hirad into heora mynrtre- y ne rceal nan rapan on odrer rolgod to nanum lice- buton he gebeden ry. And pitad eac y ne mot mid pilite nan preort beon gitriende mangere- ne poplortrutere on gererreire- ne diincan æt pin-hurum ealler to gelome- ne to diuncen-georn pundan- ne to modig- ne to gilpende- ne on hir giplum to panc- ne mid golde operglæncged- ac mid godum deapum pundige hine rilpne:

L. Ne he racrul ne beo. ne cearte ne artifuze. ac he rceal pa racrullan zeribbian. zir he aa mæz. And ne mot he pæpnu pepian mid pihte. ne to zerechte rapan. repe bid Itoder cæmpa. ropdon pe re canon ur rezd. zir he orrlagen bid on rolcer zerechte. odde rop rumene race pe he rilt zepophte. He man nater-hpon ne mot him mærrian ropa. ne him openlice ropa zebiddan. ac bebingan hine rpa-peah on clænan lezene. I lætan rpa riddan eal to Itoder dome:

и. Nu reczaő rume pneortar. В hi ron neoбе рæpn moton penian. y cpedad li Pernur zepæpnod pæne. ha da he hir Duhten pepian poloe. § pær þa he orhæhte þær ronreildzodon eane pe pær on dam zezæncze pan man Epirt bænde ac pe reczaó to ročan. F re ročrærta Loder runu. 4 ha če him rolzodon. ne rendon na zepæpnode. ne mid nanum popld-pizze dan coman- a peah ha on-gemang ham ha Iudear he hine bændon tpa rpeond to handa. rpa rpa hit zecpeden if. Domine ecce gladii duo hic. Dnihten leor. cpædon þa de him riligdon. hen rindon tpa rpeond. 4 zir hi hap æp pæpon. ne cpædon hi na rpa. 4 zir Petpur morte bone man rul-rlean. bonne ne hete hine Lpift na zerpican bær peopeer. ac he cpæb to him. Do р греопо on ба гсеабе пабе. у дегри рег дегеоптер. у he rona zehælde bone be Petpur zepundode. De mihte zir he polòe piz-cpært habban rona zenohne ac eal he polobe ron une peanre b he ba bolode. And re ylca Petnur be da pær reohtende re peand ert ahangen on node rop uner Duhtener piho zelearan. y he þá ongean nan býnge ne pan. ne mið ponde

a Here the text is obviously defective.

- 49. But some priests, however, misdo altogether too much; they rejoice when men depart hence, and unbidden gather about the corpse, like greedy ravens, wherever they see a dead carcase; but it properly becomes them to bury those men who belong to their minster: and no one ought to go in another's following to any corpse, unless he be bidden. And know also, that no priest may rightfully be a rapacious monger, nor a public spoiler in 'gerefa'-ship, nor drink altogether too frequently in wine houses, nor be too given to drinking, nor too proud, nor too boastful, nor too showy in his garments, nor adorned with gold, but with good habits do honour to himself.
- 50. He shall not be litigious, nor stir up strife, but he shall pacify the litigious always, if he can. And he may not, who is God's soldier, lawfully wear weapons, nor go to battle; because the canon tells us, if he be slain in a national fight, or on account of some dispute, which he himself has made, that no man may, on any account, celebrate mass for him, nor openly pray for him, but, nevertheless, he may be buried in a clean grave; and so leave afterwards all to God's judgment.
- 51. Now some priests say, that they, in case of need, may wear a weapon, and say that Peter was armed, when he would defend his Lord; that was when he hacked off the sinful one's ear, who was in that gang, where Christ was bound: but we soothly say, that the righteous Son of God, and those who followed him, did not go armed, nor came thither with any worldly warfare; although among them, when the Jews were binding him, two swords [were] at hand, so as it is said: Domine ecce duo gladii hic,' Beloved Lord,' said those who followed him, 'here are two swords:' but if they had been there before, they would not have said so. And if Peter might have slain the man outright, then Christ would not have commanded him to desist from the work; but he said to him: 'Put the sword into the sheath quickly, and desist from the fight;' and he forthwith healed him whom Peter had He might, had he willed it, have instantly had warlike force abundant, but he suffered all for our need what he then suffered. And the same Peter, who was then fighting,

ne mid dæde- ac zepolode zepildilice pop hir Dpihtener lurang pop pihtan zelearan eal p him man to-dyde- g bær he hærd to leane heoronlice myphde. Be bam mazon Itoder beopar zecnapan- p hi nazon mid pizze ne mid popild-campe ahpap to papene- ac mid zartican pæpnan campian pid deorol. Ne zedipad him nan dynze naben ne to pipe ne to popild-pizze- zir hi Itode pillad pihtlice zehipan- g Itoder laze healdan- ppa ppa heopa hade zedarenad mid pihte. Sit nomen Domini benedictum- et pel. Amen.

was afterwards hanged on a rood, for our Lord's true faith, and he then strove against nothing, neither with word nor with deed, but suffered patiently, for his Lord's love, and for the true faith, all that was done to him, and therefore he has for reward heavenly mirth. By this God's servants may know, that they ought not to go anywhere with war or with secular contest, but with ghostly weapons fight against the devil. Neither wife nor secular warfare are in anywise befitting them, if they will rightly obey God, and hold God's law, as is properly becoming their order. Sit nomen Domini benedictum, &c. Amen.

*ÆLFRIC'S EPISTLE,

ENTITLED

QUANDO DIVIDIS CHRISMA.

Cala ze mærre-pneortar mine zebnobna pé reczab eop nu β pe æn ne ræbon∙ ronþon þe pe to-bæz rœolan bælan unne ele on ppeo piran zehalzoone. rpa rpa ur zepirrao reo boc. 1. e. oleum ranctum. et oleum chirmatir. et oleum infinmonum. Bir on Englire. haliz ele. oben ir chirma. y reóccha manna ele. y ze rceolan habban ppeo ampullan zeapupe to pam prým elum. ropšan be pe ne duppan don hi tozædepe on anum elerate. roppan be hypa ælc bib zehalzob on runopon to ryndepliche benunge. Old bam haligan ele ge rcýlan þa hæþenan ciló meancian on þam bneorte- y betpux ga zerculonu on miodepeandan mio node tacne. senban be ze hit rullian on ham rant-pætene. y honne hit or hæm pætene cýmő ze rcýlan pýpcan pode tacen upp-on þæm hearde mið þam haligan epirman. On þam haligan rante- æpþan þe ge hý rullian. ze reýlon don chirman on Epipter pode tacne. y man ne mot berppengan men mid þæm rantpætene. rýþþan re chirma bið þæn-on zedón:

Od reoccha manna ele ze reylan rmynian ha reocan. rpa rpa Iacob re aportol on hir pirtole tæhte. Ut alleuet eor Dominur. et ri in peccatir rint. dimittentun eir. f Dinhten hi æpæne rpam hýona reocnýrre. y zir hý on rýnnum rýndon. f hý beon ronzirene:

b Wan rceal hurlian bone recean ha hpyle he hit roprpelgan mæg. y man ne rceal hit na bon nanum ram-cpyce men. rophan he he hit rceal étan. rpa rpa une Dhihten cpæs. Qui manbucat cannem meam et bibit ranguinem meum. in

^{*} The text is from O.

*ÆLFRIC'S EPISTLE,

ENTITLED

QUANDO DIVIDIS CHRISMA.

O ye mass-priests, my brothers, we will now say to you what we have not before said, because to-day we are to divide our oil, hallowed in three ways, as the book points out to us; i. e. oleum sanctum, et oleum chrismatis, et oleum infirmorum, that is, in English, holy oil, the second is chrism, and sick men's oil: and ye ought to have three flasks ready for the three oils, for we dare not put them together in one oil vessel, because each of them is hallowed apart for a particular service. With the holy oil ye shall mark heathen children on the breast, and betwixt the shoulders, in the middle, with the sign of the cross, before ye baptize it in the font water; and when it comes from the water, ye shall make the sign of the cross on the head with the holy chrism. In the holy font, before ye baptize them, ye shall pour chrism on the figure of Christ's cross, and no one may be sprinkled with the font water after the chrism is poured in.

With sick men's oil ye shall anoint the sick, as James the Apostle taught in his epistle: 'Ut allevet eos Dominus, et si in peccatis sint, dimittentur eis,' 'That the Lord may raise them from their sickness, and if they are in sins, that they shall be forgiven them.'

The sick shall receive the housel while he can swallow it, and it shall not be administered to any half-living man, because he ought to eat it, as our Lord said: 'Qui manducat carnem meam, et bibit sanguinum meum, in me manet, et

^b What follows has apparently been added by the copyist to the tract about chrism by mistake, having no connexion with it.

me manet. et ezo in eo. p ip. Sepe yt min plært y bhincző nin blód. pe punað on me. y ic punize on him. Sume peoce pynd ppa dýpize. p hi ondpædað him p hi pceolan ppyltan póna pop þam huple. ac pe peczeað to popan p he ne ppylt na pophy. þeah þe he ælce dæze undeppó p hupel. ac hip pynna beoð adylezode þuph þone dyihtenlican hlap. y he bið eac zepcyld pið deopler pyppunza:

Se reoca man rceal rpýbe behneoprian hir æppan rýnna. y zerpýcennýrre behatan. y he môt hý andettan ob þa nýhrtan opþuncze. y he rceal ropziran eallum þam mannum þe him æp abulgon. y bibban hým ropzirnýrre:

Ire rculon hurlian þa cilð þonne hi zerulloðe beoð. y hý man bene to mærran þ hýz beon zehurloðe ealle þa •vii- bazar þa hpile þe hiz unþpozene beoð:

* Tie ne môtan mærrian. on læpedna manna hure. ne man ne mot dpincan. ne dpollice plêgan. ne étan innan cýpican. ne unnýtte popd þæp-inne rppiecan. ac hine gebiddan. rophon þe heo ir gebedhur. y eac rophan þe re Dælend adnærde. or þam haligan temple. ealle þa gedpolan. mið hýpa geðpýlde. y cpæð þur. Win hur ir gecpeden gebed-hur:

^a This is alliterative, and, a few slight variations excepted, the same as part of the lines given at pp. 356, 357.

ego in eo,' that is: 'Whoever eateth my flesh, and drinketh my blood, he shall dwell in me, and I shall dwell in him.' Some sick are so foolish, that they fear that they will die immediately, because of the housel; but we say in sooth, that he will not die in consequence, though he every day receive the housel; but his sins shall be obliterated by that divine bread, and he shall also be shielded against the devil's machinations.

The sick man ought earnestly to repent his former sins, and promise cessation, and he may confess them till his latest breath; and he shall forgive all those men who before had angered him, and pray for forgiveness for them.

Ye shall housel children when they are baptized, and let them be carried to mass, that they be all houseled during the vii. days they are unwashed.

Ye may not celebrate mass in the house of laymen: nor may any one drink, nor foolishly play, nor eat in a church, nor useless words therein speak, but pray; because it is a prayer-house, and also because the Saviour drove, from the holy temple, all the heretics, with their heresy, and said thus: 'My house is called a house of prayer.'

*ECCLESIASTICAL INSTITUTES.

Ic bibbe eop ч eabmoblice læpe· men þa leorertan• þ де

pepen on hirre med-miclan tide for eoppum rynnum. roppan be on ham to-peandan life une teanar ron naht beod zetealde. Den zehýpě Dpihten pa be hine biddað. 4 him rýlleð heona rýnna ropzýrnerre. Dep he ir rpiše ropebýpoiz oren urac he ir bæn rpide nede. Den ir hir mildheontner oren urac ben if re eca bom. Den if reo lænlice pinfumner ac bæn Den rýnt þifre peopolde pýnır reo rynzale neanoner. lurtar· ac þæp rýnt þa ecan tintpegu. Den ir hlehten- ac þæp ir re ungeendoda hear. Dæp beoð þonne upe hpægla *L pitnobe. pretpodner on ham ecan ryne pidnobe. Den ir uner moder up-aharenner ac þæp ir * þæpe þýrtno' býmner. Onzýtað nu þar men þa leorertan. þe eop to-peande rýnt y rýmble beo zerophrulle rop eoppe raple hælo. Pepas on pirre ponulde. \$\beta\$ ze ne buppen ert pepan bone unzeendedan pop. Leeadmedad eop hep. I ze ne ryn bæp zenidpade. I I ze ne rýn rende on þa ýtemertan þirtho. Y on þ unadpercedlice rýn. Cala men ha leorertan. bpa 17 ærne rpa heandne heontan. h he ne mæge pepan þa topeandan pitu. y him þa ondnædan. Dpæt ir ur la relpe on birre peopolde. bonne pe rymble upe rýnna hpeope don· y hi mid ælmerran lýran. Þ pe þunh þa ælmerran þa écan tintpeza mazon zeneran. ropbon þe þeor popolo zepit y ealle þa þe on hýpe rýnd. y þonne mið upe raple anne pe rculon Lobe Elmihtizum niht azylban. mæz þæp bonne zerultumian re ræðep þæm runa. ne re runu þæm ræðen. ac rceal þonne anna zehpilc ærten hir azenum zepýphtum beon demed. Cala þu man hpæt dert þu þ þu ne rý þam bumban nýtene zelic. zeþenc y onzýt hu micel gebal Lob betpeox ur zerceop. De rende on ha raple and-

*/ þæpa þýrtna?

zýt ji narači ji nýten. Eala ju man paca j zebiče j miltra

*ECCLESIASTICAL INSTITUTES.

I pray you and humbly enjoin, most beloved men, that ye weep during this little time for your sins, because in the life to come our tears will be reckoned for nought. Here the Lord heareth those who pray to him, and granteth them forgiveness of their sins; here he is very forbearing with us, but there he is very stern; here is his mercy over us, but there is the everlasting doom; here is transient joyfulness, but there is perpetual anxiety; here are the joyous pleasures of this world, but there are eternal torments; here is laughter, but there is endless wail; there then will the decoration of our garments be punished in the eternal fire; here is exaltation of our mind, but there is the dimness of the dark. Understand now these things, most beloved men, which are future to you. and be always solicitous for the salvation of your souls. in this world, that ye need not hereafter weep the weeping without end. Humble yourselves here, that ye be not there debased, and that ye be not sent into the uttermost darkness, and into the unquenchable fire. Alas most beloved men! Who is ever so hard of heart, that he cannot bewail the torments to come and dread them? O what is better for us in this world, than that we constantly do penance for our sins, and redeem them with alms, that through those alms we may be saved from eternal torments; because this world will pass away, and all those who are in it, and then with our soul alone we must render a just account to Almighty God. There the father may not support the son, nor the son the father; but every one then shall be judged according to his own works. Ah thou man! what dost thou not to be like to the dumb cattle? Think, and understand how great a separation God hath made betwixt us. He hath sent into the soul underbe be hule be bu mæge. gemun by Duhten ron be or bæm hean heorone on par neoplan zerceart nicep-artah to pæm b he be to been uplican life zelæbbe. Ne mæg ur þonne une zolo ne une reolren zerylrtan or bæm pæl-zpimmum tintpezum. 4 þæm unadpærcedlicum lizum. 4 þæm undeadlicum pýpmum þa hpettað hýpa bloðigan teð to þon. Þ hig. butan ælcpe mildheoptniffe. upne lichoman pundian y flitan. Donne þa býman rýngað y hig micelpe rtemne ciað y cpeðað. æport to þæm roðrærtan. Apurað ze Epurter þa zecopenan. erne nu eop cýmě re heorenlica Lýning. 4 ze bone unbeablican bijdzuman zereob bone ze æn luradan. þær pillan де æn on eongan ponhtan. anırağ ч дегеод bone micclan ч pone andpirnlican Lyning. cumas nu y onros rpile pulson rpilce eaze ne zereah. ne eape ne zehýpoe. ne on manner heontan ne artah rpilce eop Loo to-bæz rongýrð. Ongen þ bonne hu ungelicne cpide hig beod cpæbende to bæm rýnfullan. Apırağ ze aplearan y rýngullan. erne to-bæze ze beoğ roplætene on bone neoplan helle read. 4 bæn býð eopen eadigner y blir y eopen gerea on roppynde. Cala hu eanme 4 hu unzerælize ja beoð je hiz rýlre rpa Loder bebodu roppeceleariad. p hiz pirne ezerlican cpide zehypan rculon. y roppon ne rculon pe nærne rophleare beon ac rymble unne deader dæz beronan uner lichoman eagum rettan. ronpan pirne peopolde puldon ir rcont. 4 reallende. 4 rleonde. 4 eanme rynt birer middan-eander zertheon. Dpæn rynt ba cyningar be zeó pæpon y ba pelezan birre peopolde. Dpæp ir nu heona golò y heona hnægel-gernærpooner. Pala b ron rpa rcontum life to rpa langum beabe hi rynt læbbe. ron rpa med-micelne blirre to rpa langue unnotnerre- ron rpa litlum leohte to rpa miclum þýrtnum. ron rpa með-miclum zercheone co rpa heandum y rpa herizum cynchezum. ron rpa recontum hleahten to rpa langum y bitenum teanum. bæn rýnt þa þýrtnan y þa unaðpærceðlican rýn þæn rýnt þa heapðan y þa bitepan puninga. þæp rýnt þa unmætan týntpezu y þa unareczendlican pita on þam. Da eanman þe nu Toder bebodu hýppiað þa beoð cpýlmede. 4 him ne bið nærne nan pert reald buton emne þý dæge þe Dpihten Dælend Epipt of deade apar.

Wazon pe nu zehýpan reczan be ruman halzan men re pær on zarthce zerýhoe zelæbeb. De zereah rumer manner raplereo pær zenýbeb p heo recolbe or hýpe lichoman ut-zanzanac reo eapme rapl ne boprte ut-zan. roppam be heo zereah pa

standing which the cattle have not. O thou man, watch and pray, and have pity on thyself while thou mayest: remember that the Lord for thee descended from the high heaven into this low creation, to the end that he might lead thee to the life above. Our gold and our silver may not help us then from the deadly grim torments, and the unquenchable flames, and the undying worms, which whet their bloody teeth that, without any mercy, they may wound and tear our body. When the trumpet shall sound, and with loud voice shall call and say, first to the righteous: 'Arise ye chosen of Christ, behold now cometh the heavenly King unto you, and ye shall see the undying bridegroom whom ye before have loved, whose will ye wrought on earth; arise and see the great and awful King: come now and receive such glory as eye never saw, nor ear ever heard of, nor ever rose in the heart of man, such as to you God to-day will give.' Then, against that, how unlike a speech will they speak to the sinful? 'Arise' ve impious and sinful, even to-day ye shall be left in the lowest pit of hell, and there your happiness and bliss and exultation shall perish.' Alas how miserable and unhappy will be those, who have been so reckless of God's commandments, that they shall hear this dreadful utterance! And therefore ought we never to be careless, but always set our day of death before the eyes of our body; for the glory of this world is short, and falling, and fleeing, and poor are the treasures of this world. Where are the kings who were of yore, and the wealthy of this world? Where is now their gold, and their decoration of garments? Alas, that for so short a life they should be led to so long a death! for such scanty bliss to such long sadness! for so little light to so great darkness! for so scanty treasure to so hard and so heavy torments! for so short laughter to so long and bitter tears! where are darkness and unquenchable fires, where are hard and bitter dwellings, where are boundless darkness, and unspeakable torments therein. miserable, who now despise God's commandments, shall be tormented, and to them shall no rest be given, save just on the day when the Lord Saviour Christ arose from death.

We may now here say of a certain holy man, who was in ghostly vision led. He saw the soul of a certain man, which was compelled to depart from its body; but the miserable soul durst not depart, because it saw the accursed spirits standing арупдеван дагсаг beronan hyne rcanban. Da р beorol hyne to-cpæd. Dpæt ir þir þ þu dert. To hpan ýldrt þu þ þu ut ne zanze. Pen 17 \$ Wichael re heah enzel cume mid enzla preate 4 be zenime rate. Da rum oter deorol him andpyrde 4 cpæ6. Ne pupre ze eop ondpædan. 1c pat hype popc. 4 1c rýmble mid hýpe pær dæger y nihter. Seo eanme rapel hig pa pær behealbende. 4 heo ongan eanmlice cleopian 4 cpæd. Pa me eanmne- to hpon recolde ic ærne zerceapen beon- obde ron hpon recolde ic ærne ingangan on birne rulercan y pyrnertan lichoman. Deo ja locade to hyne lichoman y cpæ6. Pa pe ju capma lichoma. pu pe pæpe nimende rpemopa manna rpeda. J bu be ærne pæne oren eongan pelena renýnende. J bu be zernærpodert be mid deonpunde hnæzle. 4 hu be pæne peod. I ic me pær blac. hu pæpe zlæd i ic me pær unpot. hu hloze y ic peop. eala bu eanma nu bu byrt zeponden b rulerte hpeap y pýpma mete· þu pert þe nu með-micle tið on eopðan· y ic mid rape y geomununge to helle reeal beon læded. Se lichoma þa ongan *þa rpiðe rpætan. 4 mirlic hip bneðan. Þ beorol onzan ba cleopian y cpæb. Stinzab hyne mid rape on hır eazan. roppan eal rpa hpæt rpa he mid hir eazan zereah unpihter ealler he hip zýpnde. Stingað hýne mið rape on hir muð, ropþon eal rpa hpær rpa hýne lýrte etan oððe opincan oboe rppecan eall he hit apærnde. Stingad hyne mid rape on hir heoptan. roppon be on highe ne punode appærtnir ne mildheoptner. ne Goder lurik. Diz zenaman ha ha eapman raple mid micle rape y zeomopunze. y hi arettan oren hype ba rpeantertan rýdna. 4 mid þi þe hi pænon renende. reo eapme rapi zereah miccle beopohtnerre heo axobe ba beorlu hpær reo beopohrnýrre pæpe. Diz hýpe andpýpden y cpæden. ne onzýtje bu b hie ir heorona nicer zerea. banon bu pæpe ut-zanzende. þa þu om þinne lichoman in-eodert. ræpte buph þa rægepertan y þa beophtertan pununga. ac þu peep ne mort punian. nu bu zehyprt engla breatar. 4 bu zerýhrt eallpa halizpa beopohtnerra. 4 rpa-beah be nir lýreð pæp to eapdianne. Seo eapme rapl pa ongan mid micelpe rape y pope heorian y cpæ6. Pa me b ic ærne rpa eapm midban-eapber leoht zereon recolbe. Da beorlu hız ba zelæbbany pepende y zeompizende hý realdon ruman rýpenan dnacanre ontinde hir ba ripenan y ba rceappertan zoman. y he hiz rpealh y hiz ert arpap on ha hattertan lizar. ponne bidde men pa leorertan. P pe ponne pr on byrne arettan. þeah pe þillico pito pitan y zeliren. *bonne hpædene

* del.?

• þeah?

before it. Then the devil said to it: 'What is this that thou dost? Why dost thou delay that thou goest not out? Dost thou expect that Michael the Archangel will come with a host of angels and quickly take thee?' Then another devil answered him and said: 'Ye need not fear, I know its works, and I was alway with it day and night.' The miserable soul was then beholding them, and it began to cry miserably, and said: 'Woe is me miserable, why should I ever have been. created or for what should I ever have entered this foulest and worst of bodies?' It then looked on its body, and said: Woe is thee, thou miserable body, thou that wast a taker of other men's riches, and thou that wast gaining wealth over the earth, and thou that adornedst thyself with precious raiment, and thou that wast red, and I was pale, thou wast glad and I sad, thou laughedst and I wept; alas thou miserable, now art thou become the foulest corpse, and meat for worms; thou wilt rest a short time on earth, and I with pain and groaning shall be led to hell.' The body then began to sweat violently, and to display various colours. The devil then began to call, and said: 'Pierce him sorely in his eyes, because all whatever unrighteousness he saw with his eyes, he desired it all. him sorely in his mouth, because all whatever he lusted to eat, or drink, or speak, he enjoyed it all. Pierce him sorely in his heart, becasuse in it uprightness, or mercy, or love of God never dwelt.' They then took the miserable soul, with much pain and groaning, and they placed over it the swartest wings; and while they were journeying, the miserable soul saw a great brightness: it asked the devils what that brightness might be? They answered it and said: 'Knowest thou not that it is the joy of heaven's kingdom, from whence thou proceededst, when thou enteredst into thy body? Now thou goest through the fairest and brightest abodes, but there thou mayest not dwell. Now thou hearest the hosts of angels, and thou seest the splendours of all the holy, and yet it is not allowed thee there to inhabit.' The miserable soul began then, with great pain and wail, to groan, and thus said: 'Woe is me that I miserable should ever have seen the light of the world.' The devils then led it, and weeping and groaning they delivered it to a fiery dragon, which opened its fiery and sharp jaws; and he swallowed it, and afterwards spat it into the hottest flames. I pray you, most beloved men, that we then set this for an example: although we may know of *l. znopnunz. *L zpánunz.

ne rceolon pe nærne zeoptpypan be Lober milbheoptnerre. ac ur zebarenač mio micelne eačmodnýrre zýnnan to bam ecean zerean. been nir beaber eze. ne beorler cortnung. ac been ir zeozoč butan ýloo-y leoht butan þirtho- y zerea butan unpotnýrre þæp ir pert butan zepinne þæp rýnt þa næðberepan blortman znopende. pa nærne ne roppeopniad. pæp nærne hear ne zeomonung ne "znonnunge ne "zpanunge bið zehýped pæp ne biď nærpe pite zerepen ne zereled ne þæp nærne bið bitenner. ne gerpeoncnerre rtop gemeteð. ne þæn nærne þunop-paða ne beoð. ne ligettar lihter gerapen. ac bæp ir aa ringalic opgana rpeg. be rhom englum y heahenglum on bær hehrtan Eyninger gerihde bid rungen. Cala ze men þa leorertan· onzýtað β þonne hu rpiðe ur ir το zebenceanne re to-peanda eze. y rophæm pe rculon zebencean. h hir lir it lænlic h be nu on libbag. A hie it gebinkul. A туббре. у reallende. у eapm. у birpicol eallum þæm þe hit luriad. On zepinne pe libbad y on rape pe rpeltad. y ponne ærten birer lirer zeendunze. Sa eanman y þa rynfullan þa þe nu nellað heopa rýnna hpeope bón y ælmerran rýllan. on helle tintrezo hiz beoð læδδε. 4 þær ron hýra pon-δæδum unméte tintpezo propiende per beod pa earman rapla ahanzene oren þa hatertan ligear. 4 þæn þonne beoð ronðpuccende. 4 gebundene. 4 or-dune apoppene on ha rpeantertan rtope. pillice pita pa rýnrullan beoð propiende. 4 ealpa rpiðort þa þe nu nane mildheoptnerre nabbað pið hýpa zýltýndum. Ac uton cyppan to pam betepan y zecapnian pece pice mid Epirte- y miò eallan hir Dalgan- on ealpa populòa populò- a butan ende. Amen:

PROŒMIUM HORTATIVUM AD LEGENDUM HÆC CAPITULA.

Ic eop halrize bhodhu da leorertan. I ze mid pæccendhe zýmen zehýczen ýmbe ha rhemunze zodna peonca. I ýmbe ha bóte "ha mirdæda eop hær undepheoddan rolcer hu ze heom rýmble mæzen rpeotolort zetæcan hone pez "hone ecan hæloæzden ze mid lanum. Ze eac mid býrenum eopher hær nýhtan lirer. I æzden ze. Ze ron heona rhemunze ze pe ron eophe zeonnrulnýrre mæzen Lode licpýnde pærtm-bæne" bhinzan

^{*} L papa.

* peepe?

^a The substantive is wanting; the Latin text

and believe such torments, yet ought we never to despair of God's mercy; but it befits us, with great humility, to yearn after the eternal joy, where is no fear of death, nor fear of devil, but where is youth without age, and light without darkness, and joy without sadness: where is rest without toil, where the ready-sown flowers are growing, which never fade, where never sigh nor lamentation, nor murmuring, nor groaning is heard, where torment is never seen nor felt, nor is bitterness ever there, nor for gloom a place found, nor are thunders ever there, nor the lightning's flashes seen; but there is ever constant sound of organs, which are played by angels and archangels in the sight of the highest King. O ye most beloved men! understand, therefore, how greatly is fear for the future to be borne in mind; and, therefore, we ought to think that this life in which we now live is transient, and it is laborious, and frail, and perishable, and miserable, and deceitful to all those who love it. In toil we live, and in pain we die; and then, after the end of this life, the miserable and the sinful, those who now will not repent of their sins, and give alms, shall be led into hell's torments, and there, for their misdeeds, unmeasured torments suffering, there the miserable souls shall be hanged over the hottest flames, and there shall then be tortured, and bound, and cast down into the swartest place. Such torments shall the sinful suffer, and, above all, those who have no mercy towards those trespassing against them. But let us turn to better, and merit the everlasting kingdom with Christ, and with all his saints, to all eternity, ever without end. Amen.

I implore you, most beloved brothers, that ye with watchful heedfulness meditate on the advancement of good works, and on the 'bōt' for the misdeeds of the people subjected to you; how ye may always most plainly teach them the way to everlasting salvation, both by instructions and also by examples of your upright life; that both ye, for the sake of their advancement, and we, through your zealousness, may bring to

has: 'fructuosos illi manipulos reportemus.'

or ur bæne berærtan nýtte. Eac ic eop býdde zeonne bnodnu. Fte bar reapan chidar. Þe ic ron une zemænne beanre or halgum bocum zezadenade. Ze zelome næden. I hýt on eopne zemýnde zehealden. I ze eopen lir dæzhpamlice mid halizna boca nædinze. I mid zodna peonca bizenze rhætnan I betan. I mid eop bæm undenþeoddan rolce. Itode rultumiendum. to bæm heoronlican nice hizien:

I. DE MUNERE ET DIGNITATE SACERDOTUM.

Butan tpeon ze recolon pitan y rýmble zemunan. P pe be űr berært 1r reo zýminz Goder rolcer γ re necenddóm heona rapla. F ron eallum bæm be ron une zýmelearce ronpeonőaő pe rceolon piht azýlban on bomer bæze. 4 rop kæm þe pe mið upum birenum y lapum Lode zercheonende beod. pe beod onroonde pæpe mede ecer lifer. To ur ir zecpeden puph upne Duhten. Le ryndan eondan realt. zir honne h chiptene rolc ir Kober mete. 4 pe rýndon p realt. ponne. Kobe rultumiendum. puph ur reeal p role beon Lode to pillan zehealden. rceolon eac pitan þ eoppe haðar rýndan þa ærtepan haðar ærten unum habum. 4 ur þa nýrtan. zelice þa bircopar rýndan on zeppixle þapa aportola on þæpe halizpa zeromnunge. rpa ryndan ba mærre-ppeortar on bam geppixle Epipter begna. Da birceopar Anoner y ha mærre-pneortar habbað þone hað hir runa. ropþon hit zeðarenað þ ze rien rýmble zemýndize rpa healiche zehinhenerre eopher hader. 4 eac bæpe halzunge y bæpe rmyninge. be ge on eoppe handa onrenzon ær bircopa handum þa ze had undenrenzon. Þze nærne rpa healice medumnerre ne roppýncen· ne ze copne handa mid rpa halizne rmýpinze zermýpede rýnziende ne bermyten ac healdende eoppe heoptan y lichoman clænniffe eallum polce ze byrne artellen pel to lybbene. 4 bæm be ze rope-ryndan zeræcan bone pihtan pez to heorona pice:

II. QUOD SACERDOTES DEBEANT ORATIONI ET LECTIONI INCUMBERE.

Cop zebarenað þ ze rpiðe rýnzallice halize bêc næðan. 3 eop zelome zebiðdan. ropþon þe þær nihtpiran pener lir. þunh þa næðinze halizna bóca. to hode bið zetýhteð 3 zetnýmeð. 3 þunh þa zebeðu hit bið zernætpeð. be þam cpæð Dauið. In minne heontan ic zehýðde þine zerppæcu þ ic ne zerýn.

a 'eop pæm' for 'pæm eop.' A similar inversion

God grateful fruit from the charge committed to us. I also earnestly pray you, brothers, that ye these few words, which, for our common benefit, I have gathered out of holy books, both frequently read, and hold in your mind, and that ye daily adorn and amend your life with the reading of holy books, and the practice of good works, and, with the people subjected to you, God aiding, strive after the heavenly kingdom.

Without doubt ye ought to know, and ever to bear in mind, that we, to whom is committed the care of God's people, and the direction of their souls, for all those, who through our negligence perish, shall have to account on doomsday: and for those, who, by our examples and instructions, are gained to God, we shall receive the meed of everlasting life. To us is said by our Lord: 'Ye are the salt of the earth.' If then the Christian people are God's meat, and we are the salt, then, God aiding, through us shall that people be held to God's Ye ought also to know, that your orders are the second orders after our orders, and the next to us; like as the bishops are in the stead of the Apostles in the church of the holy, so are the mass-priests in the stead of Christ's disciples. bishops have the order of Aaron, and the mass-priests that of his sons; it is therefore fitting that ye be ever mindful of the high dignity of your order, and also of the hallowing, and of the anointing, which ye received on your hand at the hand of the bishop, when ye were ordained, so that ye never foredo such high dignity, nor sinning defile your hands, anointed with such holy unction, but, preserving the purity of your heart and body, ye set up to all people an example of well living, and to those whom ye are set over teach the right way to heaven's kingdom.

It is befitting you that ye very constantly read holy books, and pray frequently, because the righteous man's life, through the reading of holy books, is stimulated and confirmed to God, and by prayers it is adorned, of which David said: 'In my heart I hid thy sayings, that I sinned not against thee.' These

gobe piố þe. Đir rýndon pitoblice þa pæpena þe beorol mið openfriðeð bið. Þir þonne opthræðlice pæðinga haligra boca y gelomlice gebeðu. Đir rýndan þa getapa þe mon mæg heorena rúce mið begýtan. Wið þirrum pæpnum beð ælce uncýrta ropbricte y mið þýrrum andlýrenum bið ælc mægen gereð y gerýndneð:

III. QUOD VACANTES OPIFICIUM EXERCEANT MANUALE.

Dæm tídum þonne ze þa pæðinge haligpa boca poplæten y þa gebeða. Þonne prulon ze on rum nýthic peopolò-peopic pón-pophon peo ýdelner ir þære paple peond. y þ pe deopol priðe hpaþe on rumum uncýptum gebringð þone þe he zemet idelne ælcer zoder peopicer. Duph þone zepunan haligpa boca pæðingge ze mazon æzder ze geleopinian hu ze rýlpe to heorona pice cuman reulon. Ze eac hu ze odpe læpian preolon. Duph þa zebeðu þonne ze mazon æzder ze eóp rýlpum ze odpum mannum. Þæm þe eóp on podpe luran zeþeddde beoði on priðe micelan hýlpe beon. Ze libbendum ze popdrapenum. Duph þ handpeopic ze mazon eopepne lichoman zepýldan þ he þý lætra bið to uncýptum. y eac ze mazon zetýlian þuph þ peopic þ ze mazon mið eoppum zódum eapimpa manna zehelpan. Þe rýlpe nabbað. y þæpa mýhta nabbað þ hie pýpcen mazon:

IV. AD SYNODUM VENIENTES QUID SECUM FERENT.

* del.?

Dæm týdum þe ze birceopa zemot récen. habbað eop mið rpýlc mærre-pear. I rpýlce béc. I rpýlce hurel-rata. I rpýlce ze mið pirnum eop þa berærtan þenunza þenian mazon. I. ppeortar oððe III. oþþe rpa rela læpeðpa to þæm zecýðpa. I hie I halize zepýne appupölice mið eop bneman mæzen. I mon on eop zereon mæze hu zeopnlice I hu hihtlice ze hoðe on eoppum þenunzum þeopien:

V. UT PANIS, VINUM, ET AQUA, IN MISSA SINT MUNDISSIMA.

Eac pe beobað þ þa orlætan þe ze on þam halgan zenýne Lobe ornað. oððe ze rýlre bacen. oððe eopne cnihtar beronan eop. þ ze piten þ hit clænlice y rýreplice zeðon rý. y þæzðen ze þa orlætan ze þ pín ze þ pæten þe to þæne ornunza rceolon on þæm mærre-ranze. Þ hie rýn mið ealne clænnýrre y zeonnrulnerre y mið Loder eze behozode. y bezýmde. Þ

are indeed the weapons with which the devil shall be overpowered, that then is, the habitual reading of holy books, and frequent prayers. These are the instruments with which one may obtain the kingdom of heaven. With these weapons every vice shall be crushed, and with these aliments every virtue shall be fed and promoted.

At the hours when ye leave off the reading of holy books, and prayers, then shall ye undertake some useful secular work; because idleness is the soul's foe, and because the devil quickly brings into some vices him whom he finds devoid of any good work. By the custom of reading holy books, ye may learn both how yourselves shall come to heaven's kingdom, and also how ye shall teach others. By prayers also ye may be a great help both to yourselves and also to other men, who are associated with you in true love, both living and departed. By handywork ye may control your bodies, that they be the slower to vices, and also ye may provide so by that work, that with your goods ye may help poor men, who have not themselves, and have not the power to work.

At those times when ye attend the gemot of bishops, have with you such mass-vestments, and such books, and such housel vessels, such as ye may therewith decently administer the services committed to you; and II. priests or III., or as many laymen called, that they may reverendly celebrate the holy mystery with you; that it may be seen in you, how zealously and how cheerfully ye serve God in your ministries.

We also command that the oblations which, in the holy mystery, ye offer to God, ye either bake yourselves, or your servants before you, that ye may know that it is cleanly and neatly done; and the oblations, and the wine, and the water, destined for the offering in the mass-singing, be minded and preserved with all cleanness and earnestness, and with fear of pæp nan þing unrýrenner on ne rý ne unclænner. Fopþan nan mærre-rang beon ne mæg butan þæm þrim þingum. Þir orlætan. I pin. I pætep. rpa Þ halige geprit cpið. Sý Loder ege mið eop. I eall Þ ge bón do ge mið micelne georrulnýrre. Þin getacnað uper Drihtener þropunge. Þe he rop ur þropade. Þir pætep Þ rolc. Þe Lpirt hir bloð rop ageat:

VI. UT FŒMINÆ AD ALTARE IN CELEBRATIONE NON ACCEDANT.

Eac pe beodað þ þæm tidum þe mæffe-pheoft mæffan finge þ nan pir ne genealæce þam peofode- ac standen on hýpa stedum. I se mæffe-pheoft þæp æt hiom onfó þæpe offunge- þe hig Itode offuan pýllað. Dir sceolon gemunan hýpa mettpumneffa. I hýpa hader týddepneffa. I sopþon hie sculon ondnædan. Þ hie ænig þapa haligna þinga onhjunen. Þe to cýpcean þenunga belimpað. Þ hiom sceolon eac læpede pepar ondnædan. Þý læs hie geeanman spilc pite spilce Oza geeannode- þa he polde þa Djuhtener ance benan. spa him na to-gebýpede- sopþon he peanð sona þa spam Djuhtene ofslægen:

VII. UT SACERDOS SOLUS NON CELEBRET.

Ne reulon mærre-pheortar nater-hpon næniz þinga ænlipie butan oðnum mannum mærran rýngan. Þ he pite hpone he gnete. I hpa him oncpæðe. De reeal gnetan hir ýmb-rtandendan. I hig him reeolon andrpapian. De reeal gemunan þone Djuhtenlican cpide. Þe he on hir godrpelle cpæð. he cpæð. Dæn þæn tpegen men oðde þný gegadendde beoð on minum naman. Þæn ic beo to-midder heona:

VIII. UT NIHIL NON SANCTUM PONATUR IN ECCLE-SIIS: NON MESSES, NON FŒNUM, ETC.

Pe zerapon eac oft in cyncean æzően ze conn. ze hiz. ze hpylce popolólicu þinz beon zehealdene. Þonne nelle pe þ þæn mon æniz þinz inne healde. butan þa þe to þæne cyncean rpætpum belýmpað. Þir. halize bêc. y hurel-rata. y mærrenear. y cýncean zezýnela on zehpilcum þinzum. ze on hnæreðon add.? Zelum ze on ratum. þýlær zir pe eller. Tý to ur zecpeden. rpa rpa to Iudeum pær. Win hur ir zecpeden zebed-hur. nu pophte ze hit rceadum to rcpære:

God, so that there be no uncleanness or impurity in it; because no mass-singing may be without those three things, viz. oblations, and wine, and water, as the holy writ says. Be the fear of God with you, and all that ye do, do with much zeal. The wine betokens our Lord's passion, which he suffered for us; the water the people, for whom Christ let his blood be shed.

We also command that, at those hours in which the priest sings the mass, no woman approach near to the altar, but let them stand in their places, and the mass-priest will there receive from them the offering which they desire to offer to God. Women should bear in mind their infirmities, and the tenderness of their sex, and therefore they shall dread to touch any of the holy things, belonging to the services of the church. That also laymen should dread, lest they merit such punishment as Uzza merited, when he would support the ark of the Lord, as was not befitting him; he was therefore instantly slain by the Lord.

Mass-priests shall not, on any account, [or] by any means, celebrate mass alone, without other men, that he may know whom he addresses, and who responds to him. He shall address those standing about him, and they shall respond to him. He shall bear in mind the Lord's saying, which he said in his gospel; he said: 'There where two or three men shall be gathered in my name, there will I be in the midst of them.'

We have seen also often in the church, corn, and hay, and all kinds of secular things kept; but we will not that anything be kept therein, save those things which belong to the equipments of the church, viz. holy books, and housel vessels, and mass-vestments, and church furniture of every kind, both robes and vessels; lest, if we otherwise do, to us be said as was to the Jews: 'My house is called a house of prayer, now ye have made it a den of thieves.'

IX. DE NON SEPELIENDO IN ECCLESIIS, ETC.

Dit pær eald beap on birrum landum. B mon oft ropszerapene men innan cýpcean býpizde. 4 þa rtopa þe pæpon to Loder peopoome zehalzode y zeblerrode him on to orrpienne. mon pophre to lic-runum. Donne nelle pe nu heonon-rond p mon ænigne in cýpcean býpie· butan hit hpýlc racepohader mon ry. odde ert rpa pilitpir læpede. p mon pite p he on hir liver zeeannunge libbende rpilce rtope zeeannode hir lichoman on to pærtanne. Nelle pe eac p mon pa lichoman pe æp on cýpcean bebýpzebe pæpon ut-peoppe- ac pa býpzena þe þæn zerýne rýn. Þ mon oðen þana. oðde hiz reon on *ojeppreze? eonőan bedelre. oőőe *oreppeze. y þæpe cypcean rlop emlice y zepýrenlice zepýpce. P bæp nan býpzen zerýne ne rý. zir ponne on hpýlcene rtope rpa rela þæna býngena rý. þ hit to eapôpoblic ry to bonne. ponne læte man pa ptope to lic-tune. y mme b peorod banon. y hyt on clæne rtope arette. y bæp cyncean næne. þæn mon Lobe appunblice y hluttoplice orrpizean mæze:

X. UT IN ECCLESIIS NON SINT VANILOQUIA, ETC.

Nir hýt pýht p man rop ænizum odpum þinzum to cýpcean zanze· butan rop zebedum y rop Goder luran· roppan pe pe ronbeodad ægden ze zerlýtu. ze plezan. ze unnýtta popo. ze zehpylce unnyttnerre. m kam halzan rtopum to bonne. Butan tpeon þæp þæp Lober nama zelome zecýzeb bið. 4 þa halige gehliýne on mærre-range georrhoð. nir nænig τρεο β μερ bið Goder engla andpeandner γρήδε genehhe. Υ hit roppon prýše pleolic i f ý man on þam halgum ftopum aðen oðde þ dó oðde þ rppece þ þæm rtopum ne zedarenað. Da une Dnihten ha men apeanp or hir temple ha he æzhen ge bohten ge realdon p p hiz Lode ornedon hu micele ma penertu p he mid ynne pa ut-apeonpe or hir temple pe mid learungum у mid unnýttum дегрржсит у mid ungemet hleahtpum y mid zehpylcum unbeapum ba rtopa be to Lober peopoome zehalzobe pæpon rýlað y bermýtað:

XI. UT MISSA NON CELEBRETUR NISI IN LOCO SACRO.

Nir hýt eac nýht þ man mærran rýnge on ænigne rtópe butan on cypcean. naten ne on hurum ne on ænizne rtope. butan on þæm rtopum þe Loð to þæm zecear·rpa rpa hýt

It was an old custom in these lands often to bury departed men within the church, and the places which were hallowed to God's service, and blessed for offering to him, to make into Now we will not henceforth, that any man be buried within a church, unless it be some man of the priesthood, or even so righteous a layman, that it is known that he living, by his life's deserts, merited such a place for his body to rest in. We will not, however, that the bodies, which have previously been buried in the church, be cast out; but the graves which are there seen, that either they be dug further in the earth, or covered over, and the church floor evenly and decently wrought, so that no grave be there seen: but if in any place there be so many graves, that that be too difficult to do. then let the place be left as a cemetery, and the altar taken thence, and set in a clean place, and a church be there raised. where people may offer to God reverently and in purity.

It is not right, that a man go to church for any other thing. except for prayers and for love of God; therefore we forbid brawls, and play, and useless words, and every idleness to be done in the holy places. Without doubt, there where the name of God is frequently invoked, and the holy mystery offered in the mass service, there is no doubt, that the presence of God's angels is there very near, and it is therefore very perilous for any one, in those holy places, either to do or to say that which is not befitting those places. As our Lord cast those men out of his temple, who both bought and sold that which they offered to God, how much more, thinkest thou, that he with anger will cast those out of his temple, who, with leasings, and with idle speeches, and with inordinate laughters, and with any evil practices defile and pollute the places, which have been hallowed to God's service.

Also it is not right that mass be sung in any place, except in a church, neither in houses, nor in any place, except in the places which God has chosen for it, as it is written: 'See

appýten 17. loca p bu ne oppnize bine lác on ælche ptope be bu zereo ac bæh on bæhe ptope be Iod to ban zecear p he. hir noman bæh retter butan hýt on rýhde rý bonne hæbbe man zeteld to bæm anum. I zehalzod peorod on bæm reo benunz bær mærre-ranzer rý zerýlled:

XII. UT FŒMINA NON HABITET CUM SACERDOTE.

Nir hýt pýht þæniz pirmon mið mærre-ppeorte on hurum punize. þeah hýt canoner meðen y rpurten alirden. y þæm haðum þe mon naner unhlýran æt penan ne þopite. Donne ropbeoðe pe hit þeah ælcum pirmen. ropþon zir þæn þa zerýbban beoð. hiz habbað oðne ambiht-men þe mon mæz ondnæðan. Þ þone mærre-ppeort to rýnne zetýhte:

XIII. UT SACERDOS EBRIETATEM ET TABERNAS FUGIAT; ET INORDINATA ETIAM CONVIVIA.

Eac if zehpýlcum mæffe-preofte fpýbe mýcel þearf. Þ he hýne fýlfne pið druncennýffe fcýlde. J eac þ folc þ him underheodde bið þ ýlce lære. Ne fceolon mæffe-preoftafæt ceap-ealedelum ne etan ne drincan. ne hýz ne fceolon fremdra manna tunaf. ne huf. ne for nanne pæfer-eornnýffe fecan. ne mið prum ne mið nánum unclænum hádum nane zebeopfcipaf habban. ac zýf hiz hpýlc appýrde hýpedeffæder to hif hufe zeladíze. feþe pýle mið hif pife j mið bearnum on zaftlicum zefean bliffian. Jæt him onfon þa zefeopða zaftliche lane. J him fýllan for fodhe lufan lichamlice zefeopðo. Þonne if hit cýn þ ze þone mið eadmeðum zefecen. J bone mið eoprum zaftlicum lanum zefeopðian þe eop mið hif popoldlicum zoðum zefeopðað:.

XIV. UT SACERDOTES ALIORUM PAROCHIANOS AD SE NON ALLICIANT, OB CONTRAHENDAS DECIMAS.

Ne rpane nan mærre-preoft nanne mon or obje cýrcean hýnnýrre to hir cýrcan. ne or obje preoft-rcýre lære. Þ mon hýr cýrcan zerece. y him heora teobinze rýllan. y þa zerýhtu þe hiz þam objum rýllan rceolban. Ac zehpýlc rýblýbe þær þe him æt hir cýrcan cume. y þær Itobe þancie-rophon hit ir appiten. Þ nan man ne rcýle objum bôn Þ he nelle Þ him man bô. y hit crib eac on þæm halzan zobrpelle-loca. hpær ze pillen Þ eop obje men bôn. do ze hiom Þ ýlce. Donne loca. hpa onzean þir pýnne. y une lape rophiczen.

that thou offer not thy offering in any place that thou mayest see, but there in the place which God hath chosen for it, that he may set his name there: unless it be in the army, then let a tent be had for that alone, and a hallowed altar, on which let the service of the mass-singing be fulfilled.

It is not right that any woman dwell in the house with a mass-priest, though the canons allowed mother and sister, and those persons from whom no evil report need be expected. But we, nevertheless, forbid every woman, because if the relatives be there, they have other attendants who, it may be feared, may instigate the mass-priest to sin.

It is also very much needful to a mass-priest, that he shield himself against drunkenness, and also enjoin the same to the people who are subjected to him. Mass-priests ought neither to eat nor drink at ale-houses, nor should they visit strange men's 'tuns' nor houses, from any eagerness for sights, nor with women, nor with any impure persons, have any convivial associations; but if any respectable father of a family invite them to his house, who, with his wife and with his children, desire to be glad in spiritual joy, and to receive from them refections of spiritual lore, and give them, for true love, bodily refections; then is it natural, that ye humbly visit him, and feed him with your spiritual instructions, who feeds you with his worldly goods.

Let no mass-priest entice any man, from the parish of another church, to his church, nor instruct any one, from another priest's district, to attend his church, and give him their tithe, and the dues, which they ought to give to the other; but let every one be content with that which comes to him from his church, and thank God for it, because it is written, that no man shall 'do to another what he will not that it be done to him:' and it is said also in the holy gospel: 'Behold, what ye will that other men do to you, do ye the

ponne pre he. p oben pana. obbe he rceal per haber polian. obbe hit ppibe rtiblice zebetan ærten boca bome:

XV. UT SACERDOS ALTERIUS CLERICUM NON SUBDUCAT.

Eac pe beodad ælcum zemete p næniz mærre-preort odrer mærre-preorter preort ne pyrde ne hyne ne rpane ne beah he hyne zerece. I he hyne na ne undeproso roppon hit ir rpide rærtlice on canonum ronboden:

XVI. DE PRESBYTERO, QUI DATO MUNERE ALTERIUS ECCLESIAM AMBIERIT.

Lyr hpylc mærre-ppeort onrunden bid. b he aden. odde ppeort-hader obbe læpeder hader men ænige med-rceat relb obbe realbe. rondi de he pilnize obner pheorter cyncean obpingian. pite he rop þýrrum pearlace. 4 rop þirre peðan gýtrunze p očen pæpa. očče he rceal hir hader polian. očče on cpeantenne hit mid rpide langue y rtnengue hneoprunge betan. ærten boca dome. 4 be birceoper hære 4 zepitnerre:

XVII. UT NULLUS PRESBYTER ÆGROTANTEM PARVULUM RECUSET BAPTIZARE.

Lif man hpylc methum cild to mærre-preorte bringe ry or rpýlcpe mærre-ppeore-rcýpe rpýlce hýt rý. bonne rullie * he add.? he hit rona. y rop nænigum unæmtan ne roplæte he hit ne rullie. rý ponon pe hit rý. zir he hit ponne rop ænizum pinze poplæt. I hit butan rulluhte zepit. ponne pite he p he rceal on domer-dæge ron ha raple niht agyldan Gode:

XVIII. VASA SACRA NON PROFANANDA.

Ne rý nan racepo-hader man ne læpeder hader þe ma þe buppe zeppijtlæcan j aben obbe calic. obbe bijt. obbe æniz bana rata. be to goocundum bigonge gehalgod bid to ænigum populo-pinze do. pitoblice repe or zehalzodum calice aht eller δημικό butan Epurter blod. β on þæm zepýne þær mærreranger bid zehalzod. odde bone dire to ænizum odnum peningum ded butan to per peoroder he mæz penan phim zebipize rpa Baldazape dýde þa þa he nam þa Dpihtener zehalzoban rata on hir benunze- he roplear ætromne æzbep ze hir lir ze hir pice:

same to them.' Then behold, whoever strives against this, and despises our doctrine, be it known to him, that he shall either forfeit his order, or very rigidly make 'bot,' according to the judgment of the books.

We also in every way forbid, that any mass-priest corrupt another mass-priest's priest, or entice him, or (though he seek him) that he receive him, because it is very strongly forbidden in the canons.

If any mass-priest be found either giving or to have given a bribe to one of the priesthood or of laical condition, because he desires to deprive another priest of his church; be it known to him, that for this robbery, and for this atrocious avarice, he shall either forfeit his order, or make 'bōt' in prison, with very long and rigorous penitence, according to the judgment of the books, and with the bishop's command and testimony.

If any one bring a sickly child to a mass-priest, be it of whatever mass-priest's district it may, then let him baptize it forthwith, and for no business let him neglect to baptize it, be it from whence it may. If he on any account neglect it, and it die without baptism, then be it known to him, that on doomsday he shall render an account for that soul to God.

Be there no man of the priesthood, nor of lay condition, who shall dare to put to worldly use either the chalice or the dish, or any of the vessels, which have been hallowed for divine worship. Verily he who from the holy chalice drinks aught else, save the blood of Christ, which is hallowed in the mystery of the mass-service, or puts the dish to any other services, except to those of the altar, may expect that to him will happen as it did to Belshazzar; when he took the hallowed vessels of the Lord for his service, he lost together both his life and his kingdom.

XIX. DE SCHOLIS IN ECCLESIIS.

Týr hpýlc mærre-ppeort pile hir neran obče hir maza hpilcne to lane don æt þæne cýncena hpilcne þe ur to healdenne berærte rynt. bonne unne pe bær rpide pel:

XX. UT PRESBYTERI PER VILLAS SCHOLAS HABEANT. ET GRATIS PARVULOS DOCEANT.

Oærre-preortar recolon rymble æt heona hurum leonningmonna rceole habban. y zir hpýlc zoopa pile hir lýtlingar hiom to lape berærtan. hiz recolon rpide lurtlice hiz onron. 4 him ertlice tecan. The recolon gebencean \$ hit if appiten. pa be zelænede bedd hiz reýnad rpa heoroner binihto. y þa þe manıze men to pihte tyhtağ y zelæpağ. hi rcynağ rpa rpa rteonnan in ecnyrre. Ne rceolon hiz beah ron bæne lane nænizer þinger pilnian æt hýpa magum. butan þær þe hig hypa azner þancer him dón pýllað:

XXI. DE VITA SANCTIUS INSTITUENDA PRÆCEPTA PLURIMA.

Problice peah eall halzu zeppitu mid birenum 4 mid lanum

zoona peonca zerýlloe rýn· γ mon on ham reloum hana halizna дерруса грібе eaбe-þa pæpnu mecan mæz- mið þam mon þa uncýrta orencuman mæz. y zobe peopc rýpšpian. þeah ur дереарб ў ре on "þýrrupa деррисе rumer haliger ræðen сридаг *L pypppinge. rettan to "phybinge y to lane goons ponca. On hem cpide 17 reapum pondum zeræd hpær pe don rceolon. 9 pid hpær pe ur healdan recolon. Epert on roppeandum been ir on beboben. & zehpa lurie hir Dpihten Itob. mid ealne hir heontan. 4 mid ealpe hir raple. y mid ealle hir mægene. y hir bone nertan rpa rpa hýne rýlrne. Ond ærten þon ir beboden þ mon man ne rlea. ne unpuht-hæmed ne rpemme. ne ne rtele. ne naner oбрег manner þinga on unpiht ne pilnige. ne on learne gepitnerre ne beo. Eac hit ir beboden. F he ælçne mon apue. I nanum men ne do p he nelle p him mon do. I piorace hir lichoman lurtum. 4 rylize Epirter bebodum. 4 clænrige hir lichoman. 4 populõe glenge ne pilnige. 4 rærten lurie peanran rede y nacode renýde untrume neorize beade bynge- ælcum групсепоит on helpe гу- у þа гордзепоап rnerpuze. 4 hýne rýlrne þær þe he mæze rýmble. æzþen ze

> pið popold-rppæce ze pið popold-dæda papnize y healde. y him nan þing rpá in ne læte rpa Epirter luran. 4 on hir ynne nan

* þýffum ?

If any mass-priest desire to put his nephew or any of his relations to learning, at any of the churches which are committed to us in charge, then we will grant that very readily.

Mass-priests ought always to have at their houses a school of disciples, and if any good man desire to commit his little ones to them for instruction, they ought very gladly to receive them, and kindly teach them. Ye ought to remember, that it is written: 'Those who are learned shall shine as the splendours of heaven;' and 'Those who many men incite to and instruct in learning, shall shine as the stars to eternity.' They ought not, however, for that instruction, to desire anything from their relations, except what they shall be willing to do for them of their own accord.

Verily although the Holy Scriptures are filled with examples and doctrines of good works, and in the fields of the Holy Scriptures very easily may be found the weapons with which vices may be overcome, and good works furthered; nevertheless, it has seemed good to us, in this writing, to set forth the lessons of a holy father, for the furthering of, and instruction in good works. In these lessons it is said, in few words, what we ought to do, and against what we should preserve ourselves. First of all, it is therein commanded, that every one love his Lord God with all his heart, and with all his soul, and with all his strength, and his neighbour so as himself. And after that it is commanded, that a man slay not another, nor commit adultery, nor steal, nor unrighteously desire another man's things, nor be in false witness. It is also commanded, that he forgive every man, and to no man do that which he will not shall be done to him, and to deny his body's lusts, and follow Christ's commandments, and purify his body, and not desire worldly pomp, and love fasting, feed the poor, and clothe the naked, visit the sick, bury the dead, be a help to every one afflicted, and comfort the sorrowful, and take heed and preserve himself, as much as he can, against both worldly speech and worldly deeds, and nothing so inwardly cherish as love of

ping ne do be him eft orbyncean bypre. ne hupu nane hpile nan yppe ne healde. y on hir heoptan nan racen næbbe. y nanum men rybbe corre ne rylle. butan he on heoptan pib hýne rulle rýbbe hæbbe. y pýð nanne man nan ýppe næbbe oren runnan retl-zonz. ac ælcum þana þe pýð hýne abelze æn runnan retl-zanze· he hýt on hir mode ropzire y rode Toder luran y monna he na ne roplæte. y na ne rpepize þýlær þe he man-rpepize. 4 or his heoptan 4 or his mude symble rodrærtnýrre ropě-bpinze. y nanum men ýrel mid ýrele zýlde. ne nanne teonan ne δό· ac zir him hpa hpýlcne δό· he β zeþýldelice ropbene. 4 rop Toder luran hir reond lurie. 4 zir hyne hpa pypuge. he bone na ert ne pypge, ac hine ma bletrize. 4 zir hine hpá rop hpýlcum pýhte onrcunie 4 ehte. gepoligie he p lurtlice. Ne beo he orenmode ne beo he onuncen-zeonn. ne beo he to rlapol. ne beo he to micel æte. ne beo he to rlap. ne beo he to eonnigende. ne beo he to tælende ac ealne hir to-hopan rette he on Lod y bonne he hpæt to gode doo. telle he p Gode nær him rylrum. y p he to ýrele deð. oððe æp dýde. pite he þ þ com rpam him rýlrum. L'emyne he rymble domer-dæge. 4 ondnæde him helle pice. 4 mid ælcpe zartlicpe zepilnunze pilnize he þær écan liper. J zepence he dæzhpamlice pone ytemertan dæz hir liper. y ealle týda tilize he tela to donne. I zepence he buton tpeon p he rýmble bið ondpeand Ioder eazum. 4 zir him hpýlce ýrele

* del.

* L cancer-

tenone.

node beon ahangen. I hu him pæpon ægőep ze pet ze handa mid næzlum þuph-dpýpene. I hu he pæp mid ppepe on hip pýdan zeptunzen. Þonne mæz he mid þýprum zepohte zeplýman þa ýpelan zepohtap. I op hip mode apýppan. Dip muð he pceal pýmble ppom þpeopum I ýpelum popdum healdan. ne pceal him beon leop pela to pppecanne on unpýht. ne he ne pceal pppecan ýdelu popd. Þa þe unnýtte hleahtop up-ahebbenne he eac ne pceal lupizean micelne I unzemethone cancettende hleahtop. ac halizpa boca pædinze he pceal luptlice zehýpan. I zelome he pceal hip zebeðu bezan. I þa hip æpzedonan ýplu mid teapum I mid zeomopunze dæzhpamlice on hip zebeðu he pceal Gode andettan I him popzýpnýppe biddan. I God zeopne biddan. I he hýne zehealde æzőep ze pið þana æp-zedonpa ýpla eðlæcunze. Ze pýð zehpýlce mipdæda. Dip

gepohtar on mod becumen. ponne andette he pa rona *y hir garthicum læce. p ir hir rchirte. y gepence he ymbe uner Dhihtener phopunge. hu he ron hir eadmodnyrre y ron une nyb-peapre. pe gerceop ealle gercearta. pær gemedomad on

Christ, and in his anger do nothing of which he may afterwards repent, nor especially preserve any anger for any time, and have in his heart no guile, and to no man give the kiss of peace, unless in his heart he have full peace toward him, and against no man have any anger over sunset, but every one of those who may have offended him ere sunset, let him forgive in his mind, and let him not forsake the true love of God and men, and not swear, lest that he forswear, and from his heart and from his mouth ever bring forth righteousness, and requite to no man evil with evil, nor do any injury, but if any one do any to him, that he bear it patiently, and, for love of God, love his foe, and if any one curse him, that he curse him not again, but rather bless him, and if any one, on any account, detest and persecute him, let him endure it joyfully. Let him not be proud, nor given to drink, nor too much given to sleep, nor too much given to eating, let him not be too slothful, nor too eager, let him not be too evil-speaking, but let him place all hope in God, and when he does anything to good purpose, let him ascribe that to God, not to himself, and what he does for evil, or has before done, be it known to him, that that comes from himself. Let him ever remember doomsday, and dread hell's torment, and with every ghostly desire let him desire the life eternal, and let him daily think of the last day of his life, and at all times let him cultivate the doing of good, and let him think, without doubting, that he is ever present to the eyes of God, and if any evil thoughts shall come into his mind, then let him forthwith confess them to his ghostly leech, that is, his confessor, and let him ever think of our Lord's passion, how he, who created all creatures, in his humility, and for our need, vouchsafed to be hanged on a rood, and how both his feet and hands were driven through with nails, and how he was pierced in his side with a spear; then may he, with this thought, put those evil thoughts to flight, and remove them from his mind. His mouth he shall ever hold from perverse and evil words, nor shall he be fond of speaking much unrighteously, nor shall he speak idle words, which raise up useless laughter, nor shall he also love much and immoderate boisterous laughter, but the reading of holy books he should with pleasure hear, and he should frequently attend to his prayers, and the evils which he has before done, he shall, with tears and with groaning, daily confess to God in his prayers, and pray to him for forgiveness, and earnestly pray to God to preserve him against a

* L. rýlzan?

lıchoman lurtum ne rceal he "rulgan. hır azene pyllan he ne rceal "rulgan. ac on eallum bingum he rceal hir lapeoper bebodum hýpan. ze þeah þe hýt rý. rpa rpa Lod pýlle þ hit ne rý. p re lapeop be him tela tæce him rýlr eller-hu bo. he rceal zemunan bone cpybe be une Dnihten on hir zoorpelle cpæð. Þ þ hiz eop dón haten. do ze þ. 4 þ þ hiz rýlre doð. ne bo ge \$. ponne hig eop tela tæcean. I him rylr on ppeoph bob. Ne pilnize he p he rý haliz zecpeben sephon be he rý. ac zecannize æpert b he ry. b he opihtenlicon mæze beon haliz zenemned. Iroder beboda dæzhpamlice mid dædum zerýlle he. clænnýrre lurize. ne nænizne mon he ne hatize. ne ærert ne andan ne hæbbe he. zerlytu ne lurie he. upaherednyrre rleo he- ealde men apize he- y zeonze lurize in Epirter luran. 4 rop hir reondum zebidde he. mid þam þe pið hýne ungenæðnýrre hæbben. æp runnan retl-zonge zehpeopre he to rybbe. be Lober miltre ne zeoptpype he nærpe. Nu bonne bir rynt ba lana 4 ba tól zartlicer cpærter ba zir hiz rnom ur bæzer obbe nyhter unzeteonienblice bezonzenne beoð. 4 ær uper liper ende zerýlde beoð. þonne bið ur reo med æt Duihtene pitod. þe he gehet þæm þe hir bebobu healban y gelærtan polban. þa nærne nan eage ne zerýhő· ne nan eape ne zehýpbe· ne on naner manner heoptan ne artah. þa zezeappode Lod þæm þe hýne luriað:

XXII. DE ORATIONE DOMINICA, ET SYMBOLO DISCENDIS.

Calle ze zelearfulle men fint to minzienne zemænlicerpom pon lærton oð pone mærtan. Pte ælc mon zeleopnize
Paten norten y Epedan. y him if to cyðenne y to bodiennep on þifrum tpam cpýdum if re rtaðol ealler cjurtener zelearan. y butan hpá þaf tpezen cpyðaf afingan mæze. y fpa
zelýre fpa ðæp-on fæzð. y hýne mið oft zebiðde. ne mæz
he beon pel cjurten. Dit pæf zerýnn zerett p nán þana
manna þe ne cuðe Epedan y Paten norten p he ne morte
naþen ne æt bircoper handa ne æt fulpihte nanum men
onfóðn. ne hine mon fundon fulluhte fullian ne morte. ne
bircopian. buton he þa ýlde nærde p he þonne zýt þa æn
zenemneðan cpyðar zeleopnian ne mihte:

repetition of the evils he has before committed, and against all misdeeds. He shall not follow his body's lusts, he shall not follow his own will, but in all things he shall obey the biddings of his teacher, yea though it be (so may God will that it be not) that the teacher, who teaches him what is good, do otherwise himself. He ought to remember the saying which our Lord in his gospel spake: 'That which they command you to do, do ye that, and that which they themselves do, do ye that not; for they teach you good, and themselves do perversely. Let him not desire to be called holy ere that he be so: but let him first merit to be so, that he may the more authoritatively be named holy. Let him daily fulfil God's commands with deeds, let him love chastity, let him not hate any man, let him have neither envy nor rancour, let him not love strifes, let him flee arrogance, old men let him honour, and young men love in love of Christ, and for his foes let him pray, with those who are in discord with him let him turn to peace ere sunset, of God's mercy let him never despair. Now then these are the doctrines and tools of ghostly craft, which, if they be by day and by night indefatigably exercised by us, and fulfilled at our life's end, then will the meed be decreed us by our Lord, which he promised to those who would hold and execute his commandments: what no eye hath ever seen, nor any ear hath heard, nor ever entered any man's heart, hath God prepared for those who love him.

All ye faithful men are to be admonished in common, from the least to the greatest, that every man learn the Pater noster and Creed; and to him it is to be made known and to be preached, that in these two utterances is the basis of all Christian belief; and unless any one can sing these two utterances, and so believe as is therein said, he cannot well be a Christian. It was established formerly, that no man, who knew not the Creed and Pater noster, and often prayed withal, might receive any man, either at the bishop's hand or at baptism; nor indeed might he be baptized or confirmed, unless he had not the age that he could yet learn the before named utterances.

XXIII. DE MANE ET VESPERE ORANDO.

Eac ir chirtenum læpedum mannum to cydanne. Ite zehpa him tupa hunu zebibbe on bæze- butan hpa opton mæze- þ ir. on mongen 4 on ærenne. Butan hpa Paten norten 4 Epedan cunne. zerynze 4 cpede. Dpiliten bu be me zehipadert y pophtert. zemiltra me. Lod zemiltra me rýnfullum. y Tode pancie he hir dæzhpamliche ondlyrene. 4 he hine to hir anlicnerre zerceop. 4 hine rhom nytenum arceb. 4 hirrum ponne rpa zedonum. 4 hir Scippende anum zepeondodon. he cleopie to Loder halzum. y bibbe p hiz him to Lode pingien. æport to Sca Wanian y rýdďan to eallum Loder halgum. Da be cyncean zenæcean mazon. bon hi bir on cyncean. ba be ponne cypcean zepæcean ne mazon. Son hiz hit pæp pæp hiz rýn· æzden ze on ærenne ze on monzenne· rophon re realm-recop cpæd. On ælche rtope ir Loder anpeald y ert he cpæð to Iode. On ælcne rtope bu birt. y beah ic on heoronar artýze· jæp þu birt· rpýlce he cpæde ne mæz ic nane rtope zemetan. be bin onpealo on ne ry:

XXIV. DE DIE DOMINICA CAUTIUS CELEBRANDA.

Sunnan-bæz ir rpiče healice to peopoianne. ropijon pe bebeodað þve næniz mon ne zeþjijvilæce on þone halgan dæz on nan peopulò-peopo berón. butan mon hir mete geappige. butan hpam zebýpize p he nýde rapan rcýle. ponne mot he rpa nídan· rpa nópan· rpa rpilce rænelde ranan· rpýlce to hir peze zebýnize. on ba zepád. p he hir mærran zehýne. y hir On Sunnan-bæg gerceop Lob æpert zebedu ne roplæce. leolic. 4 on fæm bæge he rende Irpahela rolce on ham percene heoronlicne hlar. y on fone deez he apar or deade. ha he æn hir rýlrer pýllum ron mon-cýnner helo dead zepnopade. 4 on pone bæge he rende pone Dalgan Lart on hir pegenar. ponne roppon if hit rpybe micel cyn. B zehpylc chiften man bone dæg rpýde appundlice peopdize. y hit zedarenad þ zehpýlce chirtene men la luphteon mazon on Sætenner-bæz cume to cýpcean. y him leoht mid bpinze. y jæp æren-ranz zehýpan. y on uhtan jone uht-rang. y on mongenne mid heona orrnungum cuman to jæne mærran rýmbelnýrre. 4 honne hig þýðen cumen. ne rý þæn næniz fácn. ne næniz zerlýtu. ne næniz unzeppæpner zehýped ac rmýlte mode æt fæne halzan penunge. ægden ge ron hig rylre. ge ron eal Loder rolc binzien. æzően ze mió heopa zebedum. ze mió heopa ælmerran.

Also is it to be made known to Christian laymen, that every one pray at least twice in the day, unless he oftener may; that is, in the morning and in the evening. Unless any one know the Pater noster and Creed, let him sing and say: 'Lord! thou who hast formed me and wrought me, have mercy on me, God have mercy on me sinful.' And let him thank God for his daily sustenance, and that he has created him in his likeness, and distinguished him from the beasts. And, these being thus done, and his Creator only worshipped, let him call on God's saints, and pray that they intercede for him with God: first on Saint Mary, and afterwards on all God's saints. those who can attend church do this in church; but let those who cannot attend church, do it there where they may be, either in the evening or in the morning, because the psalmist said: 'In every place is God's power.' And again he said to God: 'In every place thou art, and though I ascend to the heavens, there thou art.' As if he had said, I can find no place in which thy power is not.

Sunday is very solemnly to be reverenced, therefore we command that no man dare on that holy day to apply to any worldly work, unless for the preparing of his meat; except it happen to any one that he must of necessity journey; then he may either ride, or row, or journey by such conveyance as may be suitable to his way; on the condition that he hear his mass, and neglect not his prayers. On Sunday God first created the light, and on that day he sent to the people of Israel in the desert heavenly bread; and on that day he arose from death, when he before, with his own will, had suffered death, for the salvation of mankind; and on that day he sent the Holy Ghost into his disciples. It is therefore very highly fitting, that every Christian man very reverently honour that day. And it is fitting that every Christian man, who can accomplish it, come to church on Saturday, and bring light with him, and there hear even-song, and before dawn, matins, and in the morning come with their offerings to the celebration of the mass: and when they come thither, let there be no iniquity, nor any strifes, nor any discord heard, but with calm mind, at the holy service, let them intercede both for themselves and for all God's people, both with their prayers and with their alms; and after the holy

Jerren þæne halgan þenunge him gehpa ham hpýpre y mið hir rheondum. J hir nýhrtum. J mið ældeodigum hine garthice geneondige. J hine pið oren-æt y dnuncennýrre beonge:

XXV. DE SUSCIPIENDIS HOSPITIBUS SINE MUNERE.

Eac if zehpylcum mæffe-preofte micel þearf. I he his hýre-men zeonne týrte glære. I hiz cum-lýbe fýen. g nænezum farendum men hýra hufa ne pýrnen. Són him elles Goder þancef to zóde I hiz þonne pillen odde mæzen. forþon butan treon I mon Goder þancef cumun zedeð. I mon deð Gode. fra fra he fýlf on domefdæz crið to þam þe him on þa fryðfian hand zefette beoð. Ic pæf cuma gæ me onfenzon. Da þonne þe Goder þancef hpýlcne cuman underfón. ne pilnizen hiz þær nanna populd-leana. Duph cum-liðnýffe fræ monize men Gode zecpembon. to þon friðe I hiz þæf pýrðe pæron I Goder englar hiz forbon. Ne fceal nan man populdmeðe pilnian æt þam cuman. forþam þe him if zeháten ece zefea fore on Goder pice:

XXVI. DE PERJURIO.

Eac if ppide micel beapt \$\beta\$ ze zeopne mænpa ada frypan. \$\beta\$ eoppum hype-monnum cydon hu ungerohlicu fryld \$\beta\$ if. \$\beta\$ hu fryde hit if ropboden. \$\epsilon\$ geo on bæne \$\epsilon\$. \$\epsilon\$ on Epifter agenum bocum. \$\epsilon\$ fonne habbad pe zeahfod \$\beta\$ hit fume men dod to lytelpe frylde. \$\epsilon\$ fonne nif hit na fra. ac if an bæna mærtena frylda. \$\beta\$ on \$\beta\$ ican pifan hit if to betanne \$\epsilon\$ mærtena frylda. \$\beta\$ on \$\beta\$ ican pifan hit if to betanne \$\epsilon\$ man-flyht odde \$\epsilon\$ phice. \$\epsilon\$ delehtha to betanne if. \$\epsilon\$ Cac ze freedan pitan \$\beta\$ eoppum hypiz-monnum cydan. \$\beta\$ te zehpylc bana \$\epsilon\$ bana heofodlicha leahtha hypicne zerpemed hafad. \$\beta\$ to dædbote cyphan nele. \$\beta\$ him if to fonbeodenne æzhpylc zemâna mid chiftenum mannum. \$\epsilon\$ in cypcean. \$\epsilon\$ butan hiz to bædbote zecyphan pillun:

XXVII. DE FALSO TESTIMONIO.

Eac if mæffe-pheoftum micel þeapf. Þ hig hýpa mannum cýðen. Þ hýne gehpa geopne pið po gepitnýffe gehealde. fop-bon hit fpiðe heregu fcýld if. J upe Dhihten fpýðe fæfte on Sýnaí þem munte þa fcýlde fopbead. J þur cpæð. Ne beo ge næfne on nanne leafne gepitnýffe. fopbon fe leafa gepita ne

service, let each return home, and with his friends, and his neighbours, and with strangers enjoy ghostly refection, and guard himself against gluttony and drunkenness.

It is also very needful to every mass-priest, that he diligently exhort and teach his parishioners that they be hospitable, and not refuse their houses to any wayfaring man, but do for his comfort, for love of God, what they then will or can; because, without doubt, what a man does, for love of God, for strangers, that he does for God, as he himself, on doomsday, will say to those who shall be set at his right hand: 'I was a stranger, and ye received me.' But let those who, for love of God, receive every stranger, desire not any worldly rewards. Through hospitality many men have propitiated God to that degree, that they have been worthy that God's angels should visit them. No man ought to desire worldly meed of the stranger, because everlasting joy is therefore promised him in God's kingdom.

There is also very much need that ye diligently correct perjuries, and make known to your parishioners how enormous a crime that is, and how strongly it is forbidden both in the law and in the books of the prophets, as well as in Christ's own books. But we have been given to understand, that some men make it for a little crime, yet it is not so, but is one of the greatest crimes, and is to be atoned for in the same way as homicide, or adultery, or any of the capital crimes is to be atoned for. Also ye ought to know, and to make known to your parishioners, that every of those, who shall have perpetrated any of the capital crimes, and will not turn to penance, that to him is to be forbidden all community with Christian men, both in the church and without, both in eating and drinking, and dwelling together in houses, unless they will turn to penance.

It is also greatly needful to mass-priests, that they make known to their parishioners, that every one strictly preserve himself from false witness, because it is a very heavy crime, and our Lord, on the mount of Sinai, very strongly forbade that crime, and thus said: 'Be ye never in any false witness, because bið he nærne ungepitnoð. Spilc mon rpýlce þa rcýlde gerpemeð oððe gerpemeð harað mið þæpe ýlcan dæddote he hýne rceal geclænrian þe pe æp buran ræðon be þæm mænum aðum y eac oðpum hearodhcum leahtrum oððe rnam eallum chirtendome beon arceaden. Dpæt mæg beon þærliche þonne hpa ron gýtrunge golder y reolpher oððe deoppýnða hpægladðe æmigna populð-þinga on rpá herige rcýlde gehpeore. Þ he rceole oððe vii gean on rpiðe meanphe ýnmðe on þæpe dæðbote lýbban oððe rnam eallum chirtendome beon apoppen. Upe Dpihten cpæð þ þam men napiht ne rongtoðe þeah he ealne miðdan-eand gertninde gir he hir raple ronleoran polde:

XXVIII. UT SACERDOS QUILIBET MODO ALIQUO PLEBEM DOCEAT.

Cac pe beodad fæm mærre-pneortum he ur undenheodde rýnt. p hiz rpiče zeopnlice ýmb þær rolcer lane rýn. þa þe on béc zelæpede rýn. þ hiz zelomlice y zeopnlice heopa hýpizmen or þæm bocum lænen. þa þe þonne rpa ronð on béc zelæpede ne rýn· þonne beoden hiz hýpa zýnzpum þ hiz ýreler zerpícenybon zóbo recen rýbbeo y rolzien þæneo y reczen him b Goder eazan beod oren ba nyhtpiran men. 4 hir eanan zehýnað þana nýhtpirna bene y Dnihtener onophta bið oren þa ýrel-bondan men• to þon þ he hiz ronrpille• 4 adýlize or eopčan hýpa zemýnd. Ne mæz eopen nán hýne lane beladian. ælc eopen harað tungan. refe god rpnecan pile. rýmble he mæz rumne mon zebetan. Sona rpá racepda hpýlc hpone on-poh zerýho he rceal ealle mæzene tilian b he hyne on pilitum zebnýnze æzden ze ppeazende ze halrizende ze biddende. I hine na ne poplætan æp he hyne on rumum zo-And ic pýlle þæm tidum þe æt dum peoncum zebninze. zemetinze. Lode rultumiendum. pe toromne æt reonodum cumen. I zehpa me pite to reczanne hpylcne pærtm he. Lode zerultumiendum. on hir reýpe zerthýned hæbbe. y hpæt he hip hýpe-men on pihre zebpohr hæbbe. þe æp on poh lipde. 4 zir hpa miner rultumer bebeapt. Jonne bid lie him rona zeapo on roone luran Loder y manna. rpa rond rpa ic rynmert zelærcan mæz:∙

XXIX. DE FORMULA ORANDL

Eac ze recolon mýnzian eoppe hýpemen þ hiz hýpa zebeðu zenehlice bezan. On þar piran ze hiz recolan læpan þ hie hiz zebiðden. Epert hiz recolan rýnzan Epedan. Þonne bið þ the lying witness shall never be unpunished.' Whatever man shall commit or has committed that crime, shall purify himself with the same penance of which we already said before concerning homicide, and also other capital crimes, or be cut off from all Christian men. What can be more fitting, when any one, from craving after gold and silver, or precious garments, or any worldly things, falls into such grievous crime, than that he shall either live vii. years in very narrow misery in penance, or be cast out from all Christian men? Our Lord said, that it availed naught to a man, though he should gain all the world, if he would lose his soul.

Also we command those mass-priests, who are subjected to us, that they very earnestly [busy] themselves about the people's learning: that those who are learned in books frequently and zealously teach their parishioners from these books, who may not be so far learned in books. Then let them enjoin their pupils to abstain from evil, and do good, to seek peace and follow it; and tell them that the eyes of God are over the righteous men, and his ears hear the prayer of the righteous; and the face of the Lord is over the evil-doing men, in order that he may destroy them, and blot their remembrance from the earth. None of you may excuse himself from learning: each of you has a tongue; he who will say what is good, may always better some one. As soon as any priest sees any one in error, he shall labour with all his might to bring him to right, either by reprehending, or beseeching, or praying, and shall not leave him, ere he shall have brought him into some good works. And I desire, at those times, that at meeting, God aiding, we come together in synods, that every one will be able to tell me, what fruit he, God aiding, has begotten in his district, and what of his parishioners he has brought to right, who before lived in error. And if any one need my aid, then shall it be forthwith ready to him, in true love of God and men, to the utmost that I am able.

Ye shall also admonish your parishioners, that they sufficiently cultivate their prayers. In this wise ye shall teach them to pray: first they shall sing the Creed, for that is most like to

zelicort bon be hiz æteopen bone rtagol hypa pyhtan zelearan y ærten bon be he Enedan zerunzen hæbbe bonne cpeše he prýpa. God pu be me zerceope zemýltra me. y pripa. Loo zemýltra me rýnrullum. y ærten bon zerýnze Paten norten. 4 ærten bon zir he bone rtede hæbbe 4 bone æmtan. ponne biode he Sca Wapian seperco y pa halgan aporcolaro y pa halgan mantýpar. y ealle Toder halgan. þ hig him to Tode þingien. 4 þonne hir hearoð ropepeand mið þæpe halgan noðe таспе дерæрпіде ў іг. дегепіде hine. у þonne. up-ahærenum handum y eagum. on hir heoptan he Trobe bancie ealler bær be he him ronzear. æzően ze yőnan ze unýönan. Eir he ponne pone semtan næbbe. F he eall hit pur zedon môte. bonne zebo he rpa-beah. rpa pe sen buran cpsebon. p 17. cpebe þμιρα. Γιοδ þu þe me zerceope zemýltra me. 4 þrýpa. Γιοδ zemýltra me rýnrullum. y ærten þon. ýnpeanône heontan zerynze Pacen norcen. y hyne zerenize:

XXX. DE EODEM, ET DE CONFESSIONE.

Ezhpylce bæz pe rculon Lobe æne. obbe tupa. obbe optop. zýr pe mazon· on unum zebebe une rýnna anbettan· cpæbendum þæm pýtgan. Djuhten mine reýlde ie dýde þe cude. y mine unpýhopirnýrre ic be ne hæl. ic cpæb. ic andecce be Dpihten mine unpihtpirnýrre pið me rýlrum. 4 þu Dpihten me ronzeare ba anlearnyrre mynne rynne. Donne ærten pæpe andernerre. mid zeompunze y heoptan onbpyponerre pe rceolon ur to Dpyhtene zebiodan. y pone rirtizan realm rýnzan· očče pone ·xxIIII· očče pone ·xxv· očče papa rumne pe pæn to rpýlcum belýmpő. y rpa p zebed zerýllan. Seo anderner þe pe mærre-ppeorrum doð típa rýnna. þir heo ur beő το χόδε. β onrongnum rnam him halpenbum zeþeahtum. y læcedomum þana pamma þe pe him on ur rýlre ron unum aznum zepýphrum reczaš. y zehealonum bonne bæm bebooum pe hiz ur beodað, pe mið þon mazon upe rýnna aðilizian. Donne reo anderner be pe Lode anum andertad ded hio ur p το χόδε· rpa pe orton hiz zemunač rpa ronzýt Itob hýna hpačop. Dpihten cpæčendum þuph þone pitzan. Ðinna rýnna ne zeman ic. Donne onzean bon. rpa pe orton miroæba ronzýcač rpá zemon hiz Iod zeónnon. Ur ir þeanr þ pe zepencen hpæt Dauid re pitza cpæð. y eac bon don rpa pe nýhrt magan· he cpæδ. Wine unpýhtpirnerre ic oncnape y min rýu bið rýmble ongean me:

disclosing the foundation of their true faith; and after he shall have sung the Creed, then let him say thrice: 'God, thou who hast created me, have mercy upon me;' and thrice: 'God, have mercy upon me sinful; and after that let him sing 'Pater noster:' and after that, if he have the place and the leisure, then let him pray, first to Saint Mary, and the holy apostles, and the holy martyrs, and all God's saints, that they intercede for him to God; and then let him arm his head in front with the sign of the holy rood, that is, let him sign himself, and then, with upraised hands and eyes, in his heart let him thank God for all that he has given him, both easy and difficult. But if he have not the leisure, that he can do it all thus, then let him at least do, as we before said, that is, say thrice: 'God, thou who hast created me, have mercy upon me,' and thrice: 'God have mercy upon me sinful; and after that, with inward heart, let him sing 'Pater noster,' and sign himself.

Every day we ought once or twice or oftener, if we can, in our prayer, to confess our sins to God, according to what the prophet says: 'Lord, my sin I have made known unto thee, and my unrighteousness I have not concealed from thee; I said, I will confess to thee, O Lord, my unrighteousness against myself, and thou Lord hast forgiven me the impiety of my sin.' Then after the confession, with groaning and compunction of heart, we should pray to the Lord, and sing the fiftieth psalm, or the xxiiiith, or the xxvth, or one of those which belong to such cases, and so complete the prayer. The confession of our sins, which we make to mass-priests, does this for our good, that, having received from them salutary counsels and remedies for the stains in ourselves, which we tell them, from our own works, and having held the commands which they shall have commanded us, we may thereby blot out our sins. confession, which we confess to God alone, does this for our good; the oftener that we remember them, so does God the sooner forget them, according to the saying of the Lord through the prophet: 'Thy sins I remember not.' But on the contrary, the oftener that we forget misdeeds, the more readily does God remember them. It is needful to us to reflect on what David the prophet said, and also then do it as immediately as we can; he said: 'I acknowledge my unrighteousness, and my sin is ever before me.'

XXXI. DE PECCATIS IN CONFESSIONE ENUMERANDIS.

Elce rynne mon reeal hir repirte andettan papa pe he ærne zernemede. odde on ponde. odde on peonce. odde on zehohte. Cahra ryndan hearodhce rynna. ponne ir rpide lyt monna p ne rý mið þæm rumum oððe eallum bermiten. An ir gýrenner meter · oden unniht-hæmed · þnýdde populde-unnotner · reopõe zýrrunz reór· rýrta ýdel zýlp· rýxta ærert· reopoõa ýpne eahtoba orenmedla. Donne hpa to hir repirte cýmeb. on þa zepad þ he pille hir þeapra to him rppecan y hir rýnna andettan. bonne rceal re repirt hine zeopne ahrian be bæm pe he him andercad. hu pa ping zedon pæpon. hpæden pe zepealoer be ungepealoer. I hpæben be rænlice be bunh æn bepohre piran. 4 him ponne be ælche miroæda ha bore renire. be bon be reo dæd zedon pær. Spide unzelic did re mon be hỳne rýlrne penzende odenne mon orrlýho þæm þe odenne zeræcað y hýne ogrlýhð. rpa lut býð æzðen ze æt hæmeðum ze æt zehpýlcum miroædum. Se rcpirt rceal ahrian zehpýlcer þinger þone þe to him hir þeapre rpnýcð. y hine læpan. I he him nan bing ne hele. ne on popde ne on peopce. pær þe he ærne péne. Þ he pið Loder pýllan zeponohte. y re repire him reeal ær zehpýleum þinzum þa bote reczan:

XXXII. UT OPERA CHARITATIS QUISQUE FACIAT, ET QUONAM MODO FIENT.

Dýnzmendum pe rceolon rýllan mete. y þýnrtendum dpýnc. nacobe pe rceolan orenpneon. 4 nuchume 4 ha he on cancenne rýn pe rceolon neorian. y cumum pe rceolon onrôn. rpa une Dpihten rýlr cpæð. We hýngpede 4 ze me realdon etan. me pyprte y ze me realdon dpyncan. 1c pær nacod y ze me repidbon. ic pær unthum y on þæm cancenne y ze min neorobon. Donne rceal æle mon on him rylrum þar þing gartlice habbany on objum monnum he rceal hiz licamlice zeryllan. roppon peah he pir eal licamlice zerylle. ne mæz hit him to pan écan life zehelpan. zýr he on ppænnerre. у огермédlan. у on ærerte- y on oðnum manızrealdum unþeapum- þa þe nu longe to tellan ir. hir lir lýrað. Ac rona rpa re mon ongýte p he Epirt on him næbbe- þe cpæð. Ic eom re libbenda hlár pe or heorenum adune artah. 4 pa rodan luran reo 17 pæpe raple rorcon buton treon bonne he bið hýngpiende ac bonne zýr he bunh zód peonc. roplætnum hir æppan unþeapum. him Ерірт to gelaðað. 9 hýne rýlrne mið þæpe roðan

Every sin a man shall confess to his confessor, which he ever committed, either in word, or in work, or in thought. There are eight capital sins, and there are very few men, who are not defiled with some or all of them. One is gluttony, the second adultery, the third worldly sadness, the fourth avarice, the fifth vainglory, the sixth envy, the seventh anger, the eighth pride. When any one comes to his confessor, for the sake of telling him his needs, and confessing his sins, then ought the confessor earnestly to ask him concerning those things which he confesses to him, how they were done, whether intentionally or unintentionally, and whether suddenly, or in a before resolved way: and let him then for every misdeed prescribe the 'bot,' according as the deed has been done. Very unlike is the man who defending himself slays another man, to him who seeks another and slays him: so it is, both in adulteries, and in every misdeed. The confessor shall ask him everything, who imparts his need to him, and enjoin him to hide nothing from him, neither in word nor in work, of what he supposes he may have ever wrought against God's will; and the confessor shall, for everything, declare the 'bot.'

To the hungry we should give meat, and to the thirsty drink, the naked we should cover, and the infirm, and those who are in prison we should visit, and strangers we should receive, as our Lord himself says: 'I was hungry, and ye gave me to eat: I was thirsty, and ye gave me to drink; I was naked, and ve clothed me; I was sick and in prison, and ye visited me." Now every man should have in himself these things spiritually. and towards other men he should fulfil them bodily; because, although he fulfil all this bodily, it cannot help him to the everlasting life, if he live his life in luxury, and in pride, and in envy, and in other manifold vices, which it were now tedious to recount. But as soon as the man is sensible that he has not Christ in him, who said: 'I am the living bread, which came down from heaven,' and the true love, which is the nutriment of the soul, then, without doubt, he will be hungry: but then, if, through good works, having forsaken his former vices, he call Christ unto him, and fll himself with the sweet-

luran rpetnerre zerýlleð þonne ret he þonne higne reolrne hýnzpiende on hir mode. Se bonne re hine rýlrne zerýho bedæledne beon þana repeama haligna geppira lana. 9 þær Dalgan Garter. bonne bio he zenoh bunrtig. ac zir he bonne hýne rýlrne mið þæm æ-rppýngum Goder popda zelecð. 4 hir mod mid þæne rpetnýrre þær zartlican zednincer zerýlleð. he releð þær þonne opyncan hir þýpræendum mode. rebe zerýho hine rýlrne nýhrpirnerre z obena zodna peonca berceadenne. hu ne bid he zenoh nacod. Lir he bonne mid nýhtpirnýrre y mid odnum zodum peoncum hine rýlene bezæð. hpær deð he þonne buran hýne rýlrne nacodne zerchidd. Se ponne repe lized on pæm bedde hir uncyrta. y on pæne able hir unpyhopirnerre rpinced. A zepunden bid mid þæm papum hir rýnna. y ýmb-reted mid þæm pazum hir mirdæda. y in þæm þýrtnum bið hir unpilitpirnerre. Þonne bið he zenoh reoc y on rpiče þýrtnan cancenne. Ac zýr he bonne apired of pam bedde hir unbeapa. 4 buph andernyrre utzæd. y buph bone pop roope dædbote bið alýreð rham hir rýnnum. y panon ut-zæð to pam leohte zodpa peopca bizonzer. butan tpeon hyne rylre untnumne y on cancenne he neoras. bonne rebe hýne rýlrne zerýho on bam peze birrer andpeandan lifer rpincan. 4 mid þæm rtonmum unbeapa rpa rpa mid rcpanzan lýrce rconmum beon zerpencedne. 4 zerýho p he pa hlýpše zoona peonca nærð. ponne mæz he ponne pitan þ he bið on rýð-ræte y pel zýrt-hurer beþear. Ac zýr he konne hyne rylrne zelædeð to þæm hure halizna mæzena. 4 he hine *papa on heopa zercylonerre zehealded. ponne onrehd he ponne cuman on him rýlrum. Call par pinz ponne re mon pe him rýlrum zartlice ded. Epirt on him. þær lím re mon ir. he rebeb. y he openceb. y he zerchibeb. y he neorab. y he onrehő:

* և թաբ.

XXXIII. DE MUTUIS PARENTUM ET LIBERORUM OFFICIIS.

Eac rýndon hoder phýnd to mýngianne. Þ hig hýpa beapin læpan þ hig hýpa ýldpum gehýprume rýn. poplon Dpihten cpæð. Apa þinum pæden y þinne meden. Þ þu rý þe leng lippa open eopðan. Eac rceolan þa ýldpan beon hýpa beapinum geþæne. cpæðendum þæm aportole. He ýldpan ne rceolan ge eoppu beapin to ýprunge geciegean. Ne rceolan ge þeah him nane mirðæða lætan on ungeptinde. Salomon cpæð. Seþe ppapað þa gýpde. he hatað hir beapin. Ne bið nan mirðæð on

ness of true love, then will he hungering feed himself in his mind. But he who sees himself deprived of the streams of the doctrines of the holy writings, and of the Holy Ghost, he shall then be sufficiently thirsty; but then if he will allay his thirst with the fountains of God's words, and will fill his mind with the sweetness of that spiritual drink, then gives he thereby his thirsty mind to drink. But he who sees himself separated from righteousness and other good works, how shall he not be sufficiently naked? But if with righteousness and with other good works he exercise himself, what does he then. but clothe his nakedness? But he who lies in the bed of his vices, and labours with the disease of his unrighteousness, and is bound with the ropes of his sins, and encompassed by the walls of his misdeeds, and is in the darkness of his unrighteousness; then is he sufficiently sick, and in a very dark prison. But then if he arise from the bed of his vices, and, by confession, go out from it, and through the weeping of true repentance be released from his sins, and go out thence to the light of the practice of good works, without doubt, he visits himself sick and in prison. But he who sees himself labouring on the way of this present life, and with the storms of vices is afflicted. as with the strong storms of the air, and sees that he has not the shelter of good works, then may he know, that he is on a journey, and well needing a hostel. But if he then lead himself to the house of holy virtues, and hold himself in their safeguard, then in himself will he receive a stranger. Therefore the man who does to himself spiritually all these things, in himself feeds Christ, (whose member the man is) and gives drink to, and clothes, and visits, and receives.

God's friends are also to be admonished that they teach their children to be obedient to their parents; because the Lord said: 'Honour thy father and thy mother, that thou live the longer on earth.' Also ought the parents to be kind to their children, according to the saying of the apostle: 'Ye parents ought not to provoke your children to anger.' Nevertheless, ye ought not to let any of their misdeeds pass unpunished. Solomon said: 'He who spareth the rod, hateth his child.' No misdeed

bæne topeandan populde butan ppace roplæten. butan hit æn ben zebet ry. rophy ir zehpæm micele betene. be her hir beann bneaze ron hir miroædum. bonne rý him þæn Loder ýppe zehealden:

XXXIV. DE VERA CHARITATE.

Eac ba racendar recolan bam rolce reczan. b b 17 rod luru on þæne re mon lurað Lod rpiðon þonne hýne rýlrne. y hir nýhrtan rpá rpá hýne rýlrne. 4 næmzum men nelle don naht bær be he nylle b him mon bo. 4 monizu obnu bing be nu longe to neccanne rynt. Donne penas rume men p on mete y on opence ry roo luru. ponne nir hit na rpa. be pon cpæð re aportol. Loder pice nir hýt naðen ne mete ne δηψης· ac beah bæn bæn mon mete 4 δηψης του γοδηε Lober luran releg. hýt big thige zog beolic. A hit pig semous oglinu halzum peoncum zetealó:

XXXV. UT DECIMÆ ET ELEEMOSYNÆ TAM EX NEGO-TIATIONE DEBEANTUR, QUAM E FRUCTIBUS.

Các rýnt to manizenne be be cýpingum libbad. p hiz rpa papa populò-gercheona pilnigen rpa hiz hunu p éce l'ir ne ronleoran. Buton tpeon ba be rpicon benceac ymbe popololicu zercheon. ponne ymbe hypa raple hælo rpiše rpiše hiz opoliad. 4 pe hou kum bir mon chæd. Dýpa in-zehanc hiz ronleorad on hyna pege. bir andpende lir he nemde hen ron pez. Ac him ir beanr b hiz zehynen bær aportoler lane re aportol cpæ6. Ne berpice eopen nan ocenne on cypinge. ronpon loca hpæt hpá oðnum on þon to pó zedó oðde on ænizum pingum. Too hir bid precend. Dæm reip-mannum ir beboden zelice y bæm land-buendum bealler bær be him on heona ceape zepeaxe. hiz Lobe bone teoban bel azyren. 4 eac or Spá 17 eác zeþæm nýzon bælum heopa ælmerran bón. hpýlcum men beboðen þ he or þæm ýlcan cpærte þe he hir lichoman nýd-þeanre ronð-bningeð. he rcýle hir raple þeanre rono-bnyngan. reo ir betene bon re lichoma:

XXXVI. UT IN HEBDOMADA ANTE QUADRAGESIMAM CONFESSIONES ET PŒNITENTIÆ FIANT, ETC.

On pæpe nýhrtan pucan æp halgan nýht rceal gehpá to hir repirce zan. 4 hir *bæbû zeanbeccan. 4 hir repirc him reeal rpa renigan rpa he fonne on hir bæbum zehýpeð þinn to

★ 6œ6a?

in the world to come shall be left without punishment, unless it have been before atoned for; therefore it is better for every one, to correct his children here for their misdeeds, than that God's anger be reserved for them there.

Also ought the priests to tell the people, that that is true love with which a man loves God better than himself, and his neighbour as himself, and will not do to any man aught that he will not shall be done to him; and many other things, which it were now tedious to recount. Now some men think that true love is in meat and drink, but it is not so, according to what the apostle said: 'The kingdom of God is neither meat nor drink;' but, yet, wherever meat and drink are given for true love of God, it is a very good work, and it shall be reckoned among other holy works.

Those also are to be admonished who live by tradings, that they so desire worldly gains, that they, at all events, lose not everlasting life. Without doubt, those who think more about worldly gain, than about their soul's salvation, greatly greatly err, and, as a certain wise man said, 'They lose their conscience on their way:' this present life he here named a way. But it is needful for them to hear the apostle's doctrine: the apostle said: 'Let none of you defraud another in traffic, for lo, what any one therein does wrongfully to another, or in anything, God will be its avenger.' To shipmen it is commanded, and, in like manner, to husbandmen, that of all which increases to them of their stock, they give the tenth part to God, and also, of the nine parts do their alms. So it is also commanded to every man, that from the same craft, from which he provides for the necessity of his body, he shall provide for the need of his soul, which is better than the body.

In the week immediately before Lent, every one shall go to his confessor, and confess his deeds; and his confessor shall so shrive him as he then may hear by his deeds what he is to

donne bið y he rceal hir hýpiz-monnum eallum beodan on Toder bebode. Þ zýr hýpa æniz pið ænizne mon ænize unrome hæbbe. H he pið hone zehinzie. Zýr honne hpá to þan cýppan nýlle. bonne ne mæz he bam rchípan. ac bonne he rceal cýčan birceope. Þ he hýne to pýhte zecýppe. Lýr he Loder beon pylle. ponne man rceal ælce unrome y ealle zerlýcu zercýllan. y zýr hpýlce þæn beoð þana þe hpæc æbýlhoa. pið oðne habbað. þonne rceolan hiz þa ropgýran. þ hig þe rneolicon cpečan mæzen on þam Dpihtenlican zebeðe. Dpihten ronzýr ur una rýnna rpá rpá pe ronzýrač bam be pič ur azýlteð. 4 þonne. rpa zeclænroðum moðum. inzzanzen on þa tid þær halgan rærtener. y þunh dædbote hig rýlre clænrien pro bana halzena Capthena. ronbon reo bæbbote ir ærtenum rulpihte zelice. 4 on hæm rulpihte beog ha ænzernemedan rýnna ropzýrene. rpa beoð eac þuph þa dædbote zeclænrode þa rýnna þe ærten þam rulpihte zernemeðe beoð. Seoron zemetum ur cýčaš halize zeppitu β rýnna beoš ropzýrene. æpert on rulpihte. Fur pær reald ron rýnna ronzýrnerre. y obne rýše· rop phopunge· be pon cpæš re realm-rceop· Cadiz biš re pen re him Dpihten rýnne ne zetealbe. Ercen beer ýlcan Dauid сріде. rýnna beoð гордугене риры гиврінс. у ыд beod oren-prizenne ron bæbbote. I heo ne bid zeteald ron mantýphade. Ond þniddan rýðe· þunh ælmerran hig beoð alýrede be pon cpæd Daniel to Nabachodonorrene pam cynınge. Lýr þine rýnna mið ælmerrum on þeaprena zemýltrunge. y b. Spá rpá pæten adpærceð rýn. rpá adpærceð reo ælmerre þa rýnne y Dpihten cpæð on þam zoorpelle. Sýllað eoppe ælmerran. bonne mazon ze buph beon clæne. Feopdan rýde. zýr hu ronzýrert hæm he pid he zerýnzode. rpa hit on þæm добрреlle сріб. Гордураб. þonne bið eop гордуреп. rýllað þonne bið eop zereald. 9 ert. Lýr ze ronzýrað þæm pe pið eop zerýnzode. Þonne ropzýreð eop eoppe heoronlica Fæden eoppa rýnna. Fýrtan rýðe gýr hpa þunh lane y puph bodunge Goder beboda hpone rnom hir po to puhtan zeсупреб гра гра ге арогтов срееб бере дебеб р ге гуприва rnom hir pôo to nihte zecýnneš. hir raple he alýreš rnam deade. y þa mengo hir rýnna he orenpnýho. Sýxtan rýbe. ron roone luran Loder 4 manna. rpa rpa hit zecreben ir. Seo robe luru Lober у manna оренрруно ра mengo rýnna. þunh pone Dælend Epift upne Djuhten. Seorogan rýge þuph bædbote· γρα Dauid cpæð. Ic beo ζεсýpped on mýnpe ýpmőe· jonne me bið tobpocen re hpýcz. rpýlce he cpæde. Sona rpa do. And he shall command all his parishioners, with God's command, that if any of them against any man have any enmity, that he make peace with him: but if any one will not agree to that, then he may not shrive him, but then he shall acquaint the bishop, that he may turn him to right. If any one desire to be of God, then ought he to still every enmity and all strifes. And if any there shall be, who have any grudges against others, then shall they forgive them, that they may the more freely say in the Lord's prayer: Lord, forgive us our sins, as we forgive them who sin against us': and then, with minds thus purified, let them enter on the tide of the holy fast, and by penance purify themselves against the holy Easter; because penance is like to a second baptism, and in baptism the sins before committed are forgiven; so also through penance the sins are purified, which were committed after baptism. Holy writings inform us that sins are forgiven in seven ways: first by baptism, which was given to us for forgiveness of sins; and secondly by suffering, of which the psalmist said: 'Blessed is the man to whom the Lord hath imputed no sin.' According to the saying of the same David, sins are forgiven through baptism, and are covered over by penance, and are not reckoned through martyrdom. And thirdly, they are redeemed by alms, of which Daniel said to Nebuchadnezzar the king: 'Redeem thy sins with alms, in mercy to the poor;' and that: 'As water extinguisheth fire, so alms extinguish sin.' And the Lord said in the gospel: 'Give your alms, then may ye through that be pure.' Fourthly, if thou forgivest those who have sins against thee, as it says in the gospel: 'Forgive, then shall ye be forgiven; give, then shall be given unto you.' And again: If ye forgive those who have sinned against you, then will your heavenly Father forgive you your sins.' Fifthly, if any one by instruction, and by preaching God's commandments, shall turn any one from his error to right, as the apostle said: He who so doeth that the sinful man turn from his error to right, redeemeth his soul from death, and the multitude of his Sixthly, through true love of God sins he covereth over.' and men, as it is said: 'The true love of God and men covereth over the multitude of sins, through the Saviour Christ our Lord.' Seventhly, by penance, as David said: 'I am turned in my misery, then is my back broken.' As if he had said, as soon as I cease from my pride and my vices,

ic miner orenmedlan y mýnna unheapa zerpice. y heopa hneoprunze y dæddoce do beronan Gode. rpa hædde ic ronzýrnerre:

XXXVII. DE OBSERVATIONE QUADRAGESIMÆ.

Dæt lengten-pærten mon rceal mid rpide healiche zymene healdan. rpa þ þæp nán dæg ne rý. butan Sunnan-dagum anum. P æniz mon ænizer meter bnuce æn þæne teoðan tíðe obbe pæpe tpelfte. butan hpa to pan mettpum rý p he fæftan ne mæge. y geongum mannum. þe þa ýldo nabbað. þ hig þ rærten ahebban magon. roppon þar bagar rýnt teobung-bagar pær zeaner. 4 pe hiz roppon rceolon mid ealne aprærtnyrre 4 haliznerre bezonzen. Dit ir þeap þ mon obnu rærtenu oft ron rpeonda luran mid ælmerran lýrað. Þonne ne mot mon pir mid nænegum þingum bnecan. On oðne tíð þa men þe рæгсаб hý mýð рæгсене meðe æс Гюбе дееарплаб. ч hiopa rýnna ropzýrnýrre. zýr hiz j rærten þeah mið ælmerrum zernærpiado ac on par tid ponne repe rærtan mæze y nelebutan tpeon ecer piter he him rýlrum eannað. roppon þe Dpiliten rýlr þar dagar þuph Woyren. 4 þuph Eliam. 4 þuph hyne rylrne. mio halgum rærtene gehalgode:

XXXVIII. UT JEJUNANTIUM CIBUS PRÆTERMISSUS PAUPERIBUS EROGETUR.

Dæzhpamlice if zehpýlcum men þeapf. Þ he hif ælmeffan rýlle þeapfendum mannum. ac fpa-þeah þonne pe fæftað þonne fceolan [pe] manan ælmeffan rýllan þonne oðnum dazum. fopþon þe þone mete y þone drýnc þe pe þonne bnucan fceoldan. Zif pe ne fæften. Þonne pe fceoldan þone þeapfan zedælan. fopþon zýf pe fæftað y þ undenn-zeneond to þam æfen-zifle healdað. Þonne ne bið þ nan fæften. ac bið feo mete-tíð zeufenað. y bið þ æfen-zýfel zetpifealdað:

XXXIX. UT JEJUNIUM NON SOLVATUR ANTE VESPERAS.

Conegna monna zepuna if bonne he færtan fceolan. F fona fpa hiz bå non-bellan zehýpað hiz to mete foð. ac nif hit naht zelýfeðlic þ þ fý meðeme færten. ac þ if piht þæ ærten non-ranze mon mærfan zehýpe. I ærten bæpe mærfan hif æren-ranz on þa tíð. I ærten þam æren-ranze zehpa hif ælmefran fýlle. Fpá fpá him to onhazie. I fyððan to mete and repent and do penance for them before God, so have I forgiveness.

The Lenten fast ought to be kept with very particular care, so that there be no day, except only the Sundays, on which any one may take any meat, before the tenth or the twelfth hour; except any one who is so weak, that he cannot fast, and young men, who have not the age, who may dispense with the fast; because these days are the tithing days of the year, and we should therefore solemnize them with all piety and holiness. It is a custom, that people often, for love of friends, redeem other fasts with alms, but this may, on no account, be broken. At another time, those men who fast, earn with their fast a reward from God, and forgiveness of their sins, if, howeverthey adorn the fast with alms; but then at this time, he who can fast, and will not, without doubt, earns for himself everlasting punishment; because the Lord himself, through Moses, and through Elias, and through himself, hallowed these days with holy fast.

It is daily needful for every man, that he give his alms to poor men; but yet, when we fast, then ought we to give greater alms, than on other days; because the meat and the drink, which we should then use if we did not fast, we ought to distribute to the poor; because if we fast, and reserve the morning repast for the evening refection, then is that no fast, but the hour of meat will be deferred, and the evening refection doubled.

It is the custom of many men, when they fast, that, as soon as they hear the none-bell, they take to meat; but it is not allowable, that that be a fitting fast, but it is right, that, after none-song, mass be heard, and after the mass, even-song at the time, and after the even-song let every one give his alms, so as his means will permit him, and after that take to

Fon. Tŷr bonne hpa mid hpŷlcum unæmtan zenŷd rŷ. ħ he to bæne mærran cuman ne mæze ne to bæm æren-ranze. bonne rpa-beah zepunize he rærtende. ħ he pîte ħ reo mærre ŋ reæren-ranz rŷ zerunzen. ȝ rpâ bonne. zerŷldum hir aznum zebedum ȝ hir ælmerrum. he hir zoda bruce ȝ zepeopde onrôd:

XL. A QUIBUS REBUS ET QUOMODO ABSTINENDUM SIT.

On þar tið rceal beon rophæredner zehpylcha rmea-mettay rýreplice y clænlice *ur to libbenne. Da þe on þar halgan
tíðe magon cýre- yæghu- y rirc- y pín ropgán- rpiðe healic
rærten þ bið- þa þonne þe rop unthumnerre- oððe rop hpylcum oðnum þingum- hit ropgan ne magon- him ir þeapr þ
hig hir gemetlice bnucan- y þæm tíðum þe hit alýreð ir- þ
ir-ærten þæm æren-range- y naðen ne pín- ne oðenne dnenc
he ne undepró- to nanne dnuncennýrre- ac to hir heontan
geneondnýrre. Piner dnuncenner y rýnlurtar rýnt rophobene- nær meoloc ne cýre. Ne cpæð re aportol- na ne ete
gecýre ne æghu- ac he cpæð- Ne orendnincað ge eop píner ne
oðena ealeða in þæm bið rýnen-lurt:

XLI. DE CREBRA CORPORIS ET SANGUINIS DOMINI SUSCEPTIONE IN QUADRAGESIMA.

Elce Sunnan-bæge on þijre halgan tíðe if to hurle to gangenne- butan þæm monnum þe amænjumeðe beoð- bpa eac on Dunner-bæg æn Cartnum- y on Fjuge-bæg- y on Cartonæren- y on Carton-bæg. Ond ealle þa bagar þæne Cartonpican rýnt mið gelicene eappærtnýrre to begangenne:

XLII. DE LITIBUS ET DEBITIS IN JEJUNIO REMITTENDIS.

On þæm halgum pærten-bagum ne rceal mon náne gerlýtu ne gecíð úp-ahebban. ac rýmble in Isober lope y in nýðbeherum peopcum pe rceolon rtaðol-pærtlice gepunigan. poppon þe upe Dpihten þneað þa þe on pærten-bagum pillað hiona bonga manian. y gerlýtu y gecíð up-apæpan. þuph þone pitgan þur cpeðende. On pærten-bagum bið gerýne hpilcne pillan ge habbað. on þæm bagum ge arecað ealle eopne bongar. y to gecíðe y to gerlýtum ge pærtað. y ppiðe aplearlice ge bænað hýnað eopne bhoðnu. Ealle chirtene men rýnt on Isobe gebnoðonu:

meat. But if any one be constrained by any occupation, so that he cannot come to the mass, nor to the even-song, then, at least, let him continue fasting, until he know that the mass and the even-song have been sung, and then, having thus completed his own prayers, and his alms, let him enjoy his good things, and take refection.

At this tide there should be abstinence from all delicacies, and soberly and chastely we should live. If any one, at this holy tide, can forego cheese, and eggs, and fish, and wine, it is a very strict fast; but for those who, from infirmity, or any other reasons, cannot forego them, it is needful that they enjoy them moderately, and at the times when they are allowed; that is, after the even-song, and let him take neither wine, nor other drink, for any drunkenness, but for his heart's refection. Drunkenness from wine, and sinful lusts are forbidden, not milk, nor cheese. The apostle said not, eat neither cheese nor eggs, but he said: 'Do not overdrink yourselves with wine, nor other drinks, in which be sinful pleasure.'

Every Sunday, at this holy tide, people should go to housel, except those men who are excommunicated. So also on the Thursday before Easter, and on the Friday, and on Easter eve, and on Easter day: and all the days of the Easter week are with like piety to be celebrated.

On the holy fast-days neither brawls nor strife shall be raised up, but we should steadfastly continue in praising God, and in necessary works; because our Lord reproves those who on fast-days will urge their debtors, and raise up brawls and strife, thus speaking through the prophet: 'On fast-days is seen what will ye have, on those days ye all seek your debtors, and for strife and brawls ye fast, and very impiously ye oppress your brothers.' In God all Christian men are brothers.

XLIII. UT CONJUGES INVICEM SE JAM ABSTINEANT.

Eac if zerynfcipum micel þeapi þ hi hiz on þar halgan tið clænlice healdan. butan ælcer hæmeder bermytennyfre. Þte hiz þuph appært lif. zeclænredpe heoptan y hidpa lichoman zode. mið zecpemum dædum to þam halgan Eartep-dæze becuman mæzen. ropþon ne ropptondeð þ rærten nopiht þ mið zerynfciplice peopce bið bermyten. ne þ ropneh don þe má. Þ ne bið mið zebedum. y mið pæccum. y mið ælmerfum zerpætped:

XLIV. UT POPULUS EXCITETUR AD CREBRAM COR-PORIS ET SANGUINIS DOMINI SUSCEPTIONEM, ETC.

Các þæm rolce ir to reczanne. Þte þæm tíðum þe hiz kæm halgan genýne onron Epirter lichoman y blober. Þir bæm halzan hurle. Þ hiz þ mið micle ege y appýpönerre don. 4 hiz sep hæm. æzden ze mid rærtenum. ze mid ælmerrum. y hiz rýlre clænrizen. y hiz rophæbben rpom þæm zerýnrciplican peopice y prom zehpylcum uncyrum. y hiz æzően ze mid zebedum. ze mid ælmerrum. ze mid zehpylcum zodum peopcum. hiz rpætpien. rpa bonne mid micelpe appyponyrre Æzden ir rpide rpecendlic. ze p him hpa unzeclænrod y unmedonlice onrog. y eac p him hpa to lange butan rý. y him hupu nan mon onrôn ne rceal butan hir repirter leare. bæm he reeal habban æn zeandet eal b he ріб Loder pillan дерописе þær þe he дерепсап mæge. у ærcen hir dome betan. Wonize mynrten-men beah rynt y pidpan rpa halizer eaprærter lifer. \$ hiz \$ bæzhpamlice bon mazon. bonne hiz pillað:

XLV. UT MISSÆ PUBLICÆ NON OFFICIAT PECULIARIS.

Donne beodað pe eac þæm mærre-preortum. Þe æzðer ze Sunnan-dazum ze eac oðnum mærre-dazum. ær þære heah-mærran rýnzan pillað. Þ hiz þ deazolice dón. Þ hiz nanne dæl þær rolcer from þære heah-mærran ne ateón. ropþon hit ir re pýrerta zepúna þ monize men. æzðer ze Sunnandazum ze eac oðnum mærre-dazum bezað. Þ ir þte hiz rona on ærne menzen pillað mærran zehýpan. I rona ærter þære mærran from ærne merzenne orer ealne dæz on druncen-

For those married it is also very needful, that they hold themselves chastely at this holy tide, without defilement of any cohabitation, that they, through pious life, with purified heart, and their bodies' chastity, with acceptable deeds, may come on the holy Easter day; because the fast avails naught, that is defiled with conjugal act, nor that hardly more so, that is not adorned with prayers, and with watchings, and with alms.

Also to the people it is to be said, that at those tides, when they receive the holy mystery of Christ's body and blood, that is, the holy housel, that they do so with great awe and piety, and that they previously, both with fasts and with alms, both purify themselves, and refrain from conjugal act, and from all vices, and adorn themselves with prayers, and with alms, and with all good works, then so receive it with great piety. Either is very perilous, whether any one receive it unpurified and negligently, or that any one be too long without it: and especially no one ought to receive it without his confessor's leave, to whom he shall have previously confessed all that he has wrought against God's will, as far as he can recollect, and have made atonement, according to his sentence. There are, however, many monastic men and widows of such holy religious life, that they may do it daily, when they will.

Then we also command those mass-priests who, both on Sundays, and other mass-days, wish to sing before the high mass, that they do so privately, so that they draw off no portion of the people from the high mass; for it is a very bad custom, that many men practise, both on Sundays and also other mass days: that is, that, straightways, at early morn, they desire to hear mass, and immediately after the mass, from early morn, the whole day over, in drunkenness and feasting they minister to

nýtje y on pite hioja pombe þeopiað nar Irode. Donne bebeode pe ji næniz mon naner meter onbíte æphon þe reo þenung zerýlleð rý þæpe heah-mæfran. ac ealle. ze pit ze pæpneð. hie zeromnien to þæpe heah-mæfran. y to þæpe halgan y zartlican cýpcean. y þæp þa heah-mæfran y Iroder pupder boðunge zehýpen. y rpá pe æp cpæðon. þa mæfreppeortar zeonð þa zebeð-húr na ne rýngen. buton hig hit rpá deazollice dón. rpa hig nanne man rpam þæpe heah-mæfran ne ateón. y ji rýæp midde-mongenne. Ji hig magon him rýlfert æt þæpe heah-mæfran beon. Irehpýlcer hader mannum pe beodað. Jite hpá þa heah-mæfran réce. buton þam zehalzeðum mæðenum ánum. þam þeap oððe zepuna nír. Ji hig og hýpa mýnrtpe zán. þa rceolon binnan heoja mýnrtper locum zepunian. y him þæp mæfran zehýpan:

their belly, not to God. But we command, that no man taste any meat, before the service of the high mass be completed, but that all, both females and males, assemble at the high mass, and at the holy and spiritual church, and there hear the high mass, and the preaching of God's word. And, as we before said, let not the mass-priests sing about the house of prayer, unless they do so privately, so that they draw off no man from the high mass: and let that be before mid-morning, that they may themselves be at the high mass. We command men of every order, that every one attend the high mass, except only the hallowed maidens, whose custom or practice it is not to go out of their minster: these should continue within the enclosures of their minster, and there hear mass.

.

LEGUM ANGLO-SAXONICARUM VERSIO ANTIQUA.



LEGUM ANGLO-SAXONICARUM

VERSIO ANTIQUA.

LEGES

ALUREDI REGIS WEST-SAXONUM.

Postquam natus, pro salute nostra, Dei filius, Dominus et Salvator noster Jesus Christus venit in mundum, ait: 'Non veni legem solvere, sed adimplere pietate sola et misericordia.' Et post passionem et resurrectionem suam, antequam discipuli essent in omnem terram ad prædicandum dispersi, dum adhuc simul erant, multos ex gentium populis ad Deum converterunt, et nuncios miserunt Antiochiam, et Syriam, et Ciliciam, evangelizare regnum Dei. Et cum cognovissent quid inter eos ageretur, scripserunt eis. Et hæc est epistola, quam apostoli miserunt omnibus Antiochiam, et Syriam, et Ciliciam, qui nunc ex gentili servitute ad Dominum sunt conversi.

'Apostoli et seniores fratres hiis qui sunt Antiochie, Syrie, et Cilicie fratribus ex gentibus, salutem. Quoniam audivimus, quod quidam ex nobis exeuntes turbaverunt vos verbis, potius evertentes animas vestras, quibus non mandavimus, placuit nobis collectis in unum eligere viros, et mittere ad vos cum karissimis nostris Barnaba et Paulo, hominibus qui tradere cupiunt animas suas pro nomine Domini nostri Jesu Christi. Misimus eciam ad vos Judam et Silam, qui et ipsi vobis verba referrent eadem. Visum est enim Spiritui Sancto et nobis, nichil ultra inponere vobis oneris quam hoc necessario, ut abstineatis vos ab immolatis simulacrorum, et sanguine, et

Textus est ex T., cum Br. collato.

suffocato, et fornicatione, a quibus custodientes vos bene agetis. Valete. Quod vobis non vultis fieri, non faciatis aliis.'

Ex hoc uno judicio perpendi potest, ut unicuique justum judicetur, nec opus est aliquo libro judiciali præter hoc fatigari, quam ne quis alii judicet, quod sibi judicari nollet, si judicium haberetur super eum.

Postquam contigit, quod plures nationes fidem Christi susceperunt, religione crescente, plures synodi circumquaque convenerunt. Et ita eciam in Anglorum gente, postquam ad Christianitatem pervenit, sancti episcopi et sapientes laici statuerunt, pro misericordia, quam Deus docuit, ut terreni domini audeant ex eorum licentia, sine peccato, in prima culpa pecunialem emendationem capere, quam ibi decreverunt; præter proditionem domini, in qua nullam pietatem ausi sunt intueri, quia Deus Omnipotens nullam adjudicavit contemptoribus suis, nec Dei filius Jude proditori suo; et præcepit Dominum diligere tanquam seipsum. Et in multis synodis suis multorum forisfactorum emendationes aptaverunt, et ex multis synodalibus libris undecumque capitula conscripserunt. Ego tunc Æluredus rex hec collegi simul et scribi precepi; multa, que predecessores nostri tenuerunt, et michi placuerunt, reservavi, et multa que displicuerunt abjeci, consilio sapientum meorum, et aliter observari precepi. Et nolui multa de meis in scriptura ponere, quia dubitamus quid posteris inde placeret; sed que repperi diebus Ine regis, cognati mei, vel Offe Mercenorum regis, vel Æthelbrihtes, qui primus in Anglorum gente babtizatus est rex, que michi justiora visa sunt, hec collegi, et cetera dimisi. Ego Æluredus West-Saxonum rex ostendi hec omnibus sapientibus meis, et dixerunt, 'Placet ea custodire.'

*DE JURAMENTIS ET VADIIS.

1. Inprimis est, quod maxime necessarium est cuicunque fidelium, fidem et juramentum suum, multa, ut convenit, observantia custodire. Si quis tamen ad alterutrum cogatur injuste, vel ad proditionem domini, vel injustum aliquod adjutorium; rectius est hoc ementiri quam implere. Si quis autem

Textus est ex T., cum Br. Hk. et M. collato.

vadiet quod fieri justum sit et transgrediatur, committat arma sua et pecuniam amicis suis in custodiam, et sit xL. noctibus in carcere, ad mansionem regiam, et peniteat ibi, secundum jussionem episcopi sui, et parentes ejus pascant eum, si ipse victum non habeat. Si autem parentes non habeat, aut cibum, præpositus regis procuret eum. Et si cogi oporteat, et aliter nolit, si ligetur, perdat arma sua, et totam pecuniam suam. occidatur, inultus jaceat. Si aufugiat ante terminum, et iterum capiatur, sit xL. noctibus in carcere, sicut ante debuerat. amittatur, sit forbannitus, et excommunicatus ab omnibus Christi ecclesiis. Si tunc aliquis plegius intersit, emendet infracturam plegii, sicut rectum edocebit, et infracturam vadii, secundum penitencie censuram.

DE CONFUGIO AD ECCLESIAM.

11. Si quis ad ecclesie mansionem, pro qualicunque culpa confugiat, quæ ad firmam regis non pertineat, vel alteri commodo deserviat, et "venialis sit, habeat trium noctium terminum "venerabilis? cavendi sibi, nisi reconciliari quesierit. Si quis infra hunc terminum malignaverit eum, vinculis aut verberibus, emendet singulum eorum, secundum rectitudinem patrie, wera, wita; et ecclesie ministris cxx. sol, pro infractione pacis.

DE INFRACTIONE PLEGII REGIS.

III. Si quis plegium regis infringat, emendet inculpationem, sicut rectum sit, et infracturam plegii v. libris merorum denariorum. Archiepiscopi borhbryce, sive mundbrice, emendetur III. libris: aliorum episcoporum vel comitum II. libris.

DE PRODITIONE DOMINI.

rv. Si quis per se, vel susceptam, vel suspectam personam, de morte regis tractet, vite sue reus sit, et omnium que habebit. Si se velit adlegiare, secundum regis weregildum hoc faciat. Sic eciam ponimus de omni ordine vel natione, villanorum vel comitum, qui de morte domini sui cogitabat; sue ipsius vite culpabilis habeatur, et omnium que sua sunt, vel, secundum natale domini sui, festinet abnegare.

DE PACE ECCLESIARUM ET EARUM LIBERTATE.

v. Item statuimus omni ecclesie dedicate pacem hanc. quis facinorosus incurrat, vel ad eam confugiat, nullus eum

VOL. II.

vii. diebus contingat, vel extrahat; si quis hoc præsumat, culpabilis sit infractionis regie pacis et ecclesie, et amplius, si
forisfaciat amplius, si pro fame vivere possit, si non inde
prelietur. Si editui majus opus habeant ecclesia sua, custodiant
eum in alia domo, que non habeat plura ostia quam ecclesia;
et caveat ipsius ecclesie senior, ne interim reum pascat. Si
inimicis suis arma sua reddiderit, et se dederit, servetur xxx.
noctibus, et parentibus, et amicis suis interim offeratur. Item
qui ad ecclesiam confugiet pro quacumque culpa, que nondum
propalata sit, et eam in nomine Domini gratis confitebitur,
dimidium forisfacti condonetur ei. Qui furatur die Dominica,
vel in sancto Natali, vel in Pascha, vel in Sancto die Jovis,
in Ascensione Domini, in quolibet eorum volumus dupliciter
emendandum sit, sicut in quadragesimali jejunio.

DE FURATIS IN ECCLESIA.

vi. Si quis in ecclesia furetur aliquid, restituat et hoc semel, et forisfactum, sicut ad angildum pertinet, et amputetur ei manus de qua furatus est. Si manum redimere velit, et hoc ei permittatur, componat sicut ad weram ejus pertinebit.

SI QUIS IN DOMO REGIS PUGNET.

vii. Si quis in domo regis pugnet, vel arma extrahat, et capiatur, sit in arbitrio regis, sic vita sic mors, sicut ei condonare voluerit. Si aufugiat, et iterum aliquando capiatur, redimat se precio nativitatis sue; et culpam emendet, sic wera, sic wita, sicut egerit.

DE CONCUBITU NUNNE.

viii. Si quis sanctimonialem ab ecclesia duxerit, sine licentia regis, aut episcopi, det cxx. soi, dimidium regi, dimidium episcopo et ipsius ecclesie domino, cujus monacha fuit. Si ipsa diutius vivat quam qui eam abduxit, nichil de pecunia ejus habeat. Si infantem procreaverit, nichil inde habeat infans, sicut nec mater ejus. Si puer eorum occidatur, habeat partem rex materne cognationis, parentes patris partem suam habeant.

¹ De ducente sanctimonialem ab ecclesia Br.,

DE PUERO IN MATRE OCCISO.

IX. Si femina prægnans occidatur, dum puer in ea sit, solvatur ipsa pleno gildo, secundum weram patris, et partus dimidio gildo, secundum weram patris. Sit semper wita LX. sol, donec angildum exurgat ad XXX. sol; postquam angildum ad id crescit, postea sit wita CXX. sol. Aliquando fuit de eo qui aurum furabatur, vel equas sylvestres, vel apes, et multe wite majores quam alie; sed nunc sunt omnes pares, præter qui hominem furatur CXX. sol.

DE MULIERE XII.-HINDI HOMINIS, VEL VI.-HINDI, FORNICATA.

x. Si quis fornicetur cum uxore hominis twelfhindes, emendet ipsi marito cxx. sol. Homini sexhindo c. sol, cirlisco Lx. sol emendet.

DE APPREHENSIONE CIRLISCRE FEMINE, VEL INGENUE.

xI. Si quis cirliscre femine pectus apprehendat, v. sot emendetur ei. Si supinet eam, nec tamen concumbat cum ea, x. sot emendetur. Si concubuerit, Lx. sot emendet. Si aliquis cum ea jacuit antea, sit emendatio medietas hec. Si accusetur inde, adlegiet se per Lx. hidas, vel dimidium emendationis amittat. Si hoc in nobilius oriunda muliere contigerit, crescat emendatio, sicut ejus natalis ingenuitas erit.

DE NEMORE COMBUSTO VEL SECATO.

xII. Si quis nemus alterius sine licencia comburat vel taliet, solvat omne grossum lignum v. sol; et deinceps omne quotquot sint v. denariis restituat et xxx. sol wite, id est forisfacti.

²DE INTERFECTO A CASU IN COMMUNI OPERE.'

xIII. Si quis in communi opere alium casu dejiciat, reddatur lignum parentibus interfecti, et habeant hoc infra xxx. dies eductum de terra illa, vel habeat hoc cujus erit nemus.

¹ Et hoc in viventi captali componatur, et nemo vendatur pro eo. Br. Hk. M. add.

^{2&#}x27; De secante casu ligni oppresso. Hk.

DE MUTI HOMINIS VEL SURDI FORISFACTO.

xiv. Si quis surdus sit aut mutus natus, ut non possit negare, vel confiteri peccata sua, emendet pater ejus forisfacta sua.

DE ILLIS QUI PUGNANT CORAM ARCHIEPISCOPO, VEL EPISCOPO, VEL ALDREMANNO.

xv. Si quis coram archiepiscopo pugnet, vel arma extrahat, emendet ¹cxxx. sol. Si coram alio episcopo, vel aldermanno faciat, c. sol emendet.

DE VACCIS VEL EQUABUS FURATIS, VEL PREGNANTIBUS AFFLIGATIS.

xvi. Si quis vaccam vel equam furetur, vel pregnantes affligat, reddat partum solido uno, et matrem secundum precium estimatum.

DE ALIQUO IMBECILLI IN COMMENDATIONE MORTUO.

xvII. Si quis alii suum imbecille quid commendet, et in illa commendatione moriatur, adlegiet se facinoris qui pascebat illud, si ab aliquo compellatur inde.

DE APPREHENSIONE NUNNE.

XVIII. Si quis nunnam, causa fornicationis, in vestes aut in sinum, sine licentia, comprehendat, sit hoc duplo emendabile, sicut ante simpliciter de laica decrevimus.

²DE PRESTANTIBUS ARMA AD OCCISIONEM.

xix. Si quis præstet arma sua ad occidendum aliquem, licet eis, si velint, weram mortui conjectare. Sin simulari nolint, reddat, qui arma præstiterit, terciam partem ipsius were. Si velit se purgare, quod ad eam commendationem malum nescivit, hoc ei liceat. Si quis forbator alicujus arma susceperit ad purgandum, vel faber alicujus opus faciendum, ipsi hoc quietum reddant, sicut exceperunt, si non eorum custodiam diffinitis prelocutionibus abdicarant.

¹ cxx. *T*.

^{2&#}x27; De illis qui præstant arma sua ad occisionem. Hk.

DE PECUNIA COMMISSA MONACHO.

xx. Si quis alterius monacho pecuniam commendaverit, sine licentia domini ipsius monachi, et amittatur, nichil inde recipiat qui commisit ei.

DE RIXA SACERDOTUM.

xxI. Si quis presbiter hominem occidat, capiatur, et totum unde sibi mansionem emerat, et exordinet eum episcopus, et tunc ab ecclesia reddatur; nisi dominus suus componere velit weram ejus.

DE PROCLAMATIONE OSTENSA.

XXII. Si quis in conventu publico preposito regis proclamationem ostendat, vel ostensionem denuntiet, et postea cessare velit, pertrahat hoc ad rectiorem manum, si possit; si non possit, perdat suum angildum, et reddat witam præposito.

DE CANUM DISSUBITATIONE VEL MORSU.

XXIII. Si canis hominem desubitet aut mordeat tacitus, in prima culpa reddantur vi. soi, si ei victum dederit; in secunda vice reddat dominus ejus XII. soi; et tercia vice XXX. soi. Si in hiis forisfactis aliquibus canis perdatur, procedat tamen hec emendatio. Si canis amplius peccet, et habeatur, emendetur plena wera, sic malum sic inflixit.

SI PECORUM MALEFACTO.

xxiv. Si alicujus animal hominem vulneraverit, reddatur ipsum animal, vel inde componatur.

DE VIOLENTO CONCUBITU FEMINE VILLANE.

xxv. Si quis ceorles mancipium ad violentum concubitum comminetur, emendet ipsi ceorlo, id est rustico, v. soi, et lx. soi wite. Si servus servam cogat ad violentiam perferendam, castretur.

DE IVIRGINE VI SUBACTA.

xxvi. Si quis virginem immaturam violenter opprimat, sit hoc sicut adulte mulieris emendatio.

DE HOMICIDA, VEL OCCISO CARENTE COGNATIONE.

xxvII. Si quis ex parte patris sui cognatione carens homicidium faciat, si ex materna cognationem habeat, reddat ipsa tertiam partem compositionis, tertiam congildones, pro tercia parte fugiat. Si nec maternam cognationem habeat, solvant congildones ejus dimidiam compositionem, et pro dimidia fugiat.

DE HUJUSMODI OCCISIONE.

xxvIII. Si quis occidatur hujusmodi qui parentes non habeat, compositionis medietas solvatur regi, medietas gildonibus.

DE HOMINE TWIHINDO, i. e. DUCENTENO, OCCISO A HLOD, i. e. A COHORTE.

xxix. Si quis hominem twihindum innocentem cum hlope, id est cohorte occidat, reddat qui ictum confitebitur weram et witam, et omnis qui interfuerit reddat xxx. soi pro hlopbota.

DE HOMINE SEXHINDO, i. e. SEXCENTENO.

xxx. Si sit homo sexhindus, unusquisque reddat pro hlobbota Lx. sol, et percussor weram cum plena wita.

DE XII.-HINDO, QUI EST PLENE NOBILIS.

xxxi. Si xii.-hindus sit, quotquot interfuerint cxx. sof reddant, et occisor weram et witam. Si hlob, id est cohors vel collectum contubernium, hoc faciat, et postea negare velint, incausentur omnes, et omnes mortis illius compositionem conjectent in commune, et omnes unam witam persolvant, sicut ad ipsam weram pertinebit.

DE PUBLICO MENDACIO CONFICTO.

xxxII. Si quis publicum mendacium confingat, et in ipso denique firmetur, non emendetur hoc aliqua levi re, sed amputetur ei lingua; nec minori precio redimi liceat, quam secundum weram ejus appreciabitur.

DE DEI PLEGIO VIOLATO.

xxxIII. Si quis alii Dei plegium intemptet, et compellare velit, quod ei aliquod ipsorum non compleverit, præjuret hoc in quatuor ecclesiis, et si alius se purgare velit, in xII. ecclesiis hoc faciat.

DE MERCATORIBUS.

xxxiv. Eciam de mercatoribus statutum est, ut homines, quos secum ducunt in negotiationem suam, ostendant præposito regis in publicis actionibus, et edicant quot sint, et eos denique secum assumant, quos ad rectum publicum possint adducere. Et cum opus evenerit, ut secum plures habeant, *simul hoc notificent præposito regis, in publici conventus testimonio.

DE VILLANO HOMINE INJUSTE LIGATO, VEL SUSPENSO, VEL RASO.

xxxv. Si quis hominem cirliscum injuste ligaverit, x. sof emendet. Si eum verberet, xx. sof emendet. Si eum in ¹suspendio ¹ mittat, xxx. sof emendet. Si eum radat in contumeliam ad collificium, x. sof emendet. Si eum radat in presbiterum solutum, xxx. sof emendet. Si barbam ei radat, x. sof emendet; si eum ligaverit et ad prebiterum radat, Lx. sof emendet.

DE INCUSTODIA LANCEE.

xxxvi. Inventum est eciam, si quis habeat lanceam super humerum suum, et homo ² asnasetur vel inpungatur, solvat weram ejus sine wita. Si ante oculos asnaset, reddat weram ejus, et si possibilitatis accusetur in eo facto, purget se juxta modum wite. Et ita remaneat de wita, si acutum lancee sit altius tribus digitis quam cuspis; si equaliter ferantur acies et cuspis, sine culpa reputetur.

3 DE MUTATIONE MANSIONIS.

xxxvII. Si quis ab una mansione in aliam transire velit, faciat hoc testimonio aldermanni in cujus comitatu prius folgavit. Si preter illius licentiam abscedat, qui eum in hominem susceperit, cxx. sof forisfacture reddat. Dividatur tamen hoc dimidium regi, in comitatu quo ante incoluit, dimidium vero in eo quo venerit. Si quid eciam male fecerit ubi prius fuit, hoc emendet qui eum recipit ad hominem, et regi cxx. sof wite.

¹ suspenso Br. ⁸ De edificii ratione. T.

² assuasetur Br.

Adverbium 'rýmle' sic redditur.

DE PUGNA IN PLACITO CORAM ALDERMANNO.

xxxvIII. Si quis coram aldermanno regis pugnet in ¹placito, emendet weram et witam, sicut rectum sit, et super hoc cxx. sol ad witam. Si quis folemot, id est populi placitum, armorum exercione turbabit, emendet aldermanno cxx. sol wite, id est forisfacture. Si horum aliquid coram regis aldremanno juniori contigerit, aut coram presbytero regis, sit wita xxx, sol.

SI QUIS PUGNET IN DOMO VILLANI, VI.-HINDI, VEL XII.-HINDI.

xxxix. Si quis in ceorlisces mannes flet gefeohte, id est in rusticani hominis domus area pugnet, v. sol emendet ipsi rustico. Si arma extrahat, nec inde pugnet, sit dimidium hoc-Si horum aliquid accidat homini sexhindo, tripliciter exurgat emendatio super emendationem rustici: xii.-hindi hominis dupliciter a sexhindo.

DE INFRACTURA BURGI.

xl. Regis burhbrece est cxx. sol. Archiepiscopi xc. sol. Episcopi, et aldermanni, quem Latine comitem vel seniorem dicunt, lx. sol. xii.-hindes xxx. sol. Sexhindi hominis xv. sol. Ceorli eodorbrece, id est rustici sepis fractio, v. sol emendetur. Si horum aliquid eveniat quando exercitus foris est, vel in quadragesimali jejunio, sit dupliciter emendandum. Si quis in Quadragesima sanctum velum in populo sine recto deponat, emendet cxx. sol.

DE TERRA HEREDITARIA.

XLI. De eo qui terram hereditariam habet, quam ei parentes sui dimiserunt, ponimus, ne illam extra cognationem suam mittere possit, si scriptum intersit testamenti, et testis quid eorum prohibuerit, qui hanc inprimis adquisierunt, et ipsorum qui dederunt ei ne hoc possit: et hoc in regis et episcopi testimonio recitetur coram parentela sua.

DE FACTIONE.

xLII. Etiam instituimus, homo qui inimicum suum residentem scit, non ante impugnet eum, quam sibi rectum postulet. Si vim habeat ut hostem suum circumveniat et

¹ publico Br.

obsideat, custodiat eum vii. noctibus intus, nec assaliat eum, si ille velit inmorari. Si velit in manus ire, et arma sua reddere, custodiat eum xxx. noctibus illesum, et parentibus suis eum offerat, et amicis. ¹Si ecclesiam incurrat, sit secundum veniam ipsius ecclesie, sicut supra diximus.' Si vim non habeat ut eum intus obsideat, vadat ad aldermannum, et querat auxilium. Si ei subvenire nolit, adeat regem, priusquam assaliat eum. Si quis eciam superveniat in hostem suum, et eum antea residentem nesciat, si hostis ille velit arma sua reddere, custodiatur xxx noctibus, et amicis offeratur; si nolit arma sua reddere, tunc licet eum inpugnare. Si velit in manus ire, et arma sua reddere, et aliquis super hoc'inpugnet eum, solvat sic weram, sic vulnus, sicut egerit, et witam, et perdat quod de cognatione sua requirebat. Item diximus, ut homini liceat pugnare cum domino suo sine wita, si quis assaliat ipsum dominum. Sic liceat domino pugnare cum ² servo suo. Ad eundem modum potest homo pugnare cum germano cognato suo, si quis assaliat eum injuste; præter contra dominum, hoc non concedimus. Et item potest homo pugnare, sine forisfacto, si alicui obviet cum sponsa sua, clausis ostiis, vel sub una veste, vel cum filia sua desponsata, vel cum sorore sua que de sponsa sit nata, vel cum matre sua que patri suo fuerit desponsata.

DE FESTIVITATUM OBSERVATIONE.

XLIII. Omnibus liberis hominibus dies isti condonati sunt, preter servos et pauperes operarios: XII. dies in sancto Natali Domini, et dies in qua Dominus Jesus Christus de diabolo triumphavit; et Sancti Gregorii memorialis dies; et vII. dies in Pascha, et vII. supra; et unus dies in festo sanctorum Apostolorum Petri et Pauli; et in Augusto plena hebdomada, ante festum Sancte Marie; et in Omnium Sanctorum veneratione unus dies; et IIII. dies Mercurii, in IIII. legitimis jejuniis. Servis omnibus indulti sunt dare cui magis voluerint, vel qui eis pro nomine Domini aliquid benefecerit, vel ipsi deservire poterint, in aliqua portione vicis sue.

DE PLAGA IN CAPITE.

XLIV. Capitis vulnus, si utrumque os perforatum sit, XXX. sol emendetur. Si os exterius pertusum sit, XV. sol emendetur.

DE PLAGA SUB CAPILLIS.

xLv. Si in capillis sit vulnus longitudinis unius uncie, componatur solido uno. Si ante cesariem sit vulnus unciam habens longitudinis, 11. sol emendetur.

DE AURIS AMPUTATIONE.

XLVI. Si auris amputetur alicui, xxx. sot emendetur ei. Si auditum inde perdat, Lx. sot emendetur.

DE OCULORUM ET MULTORUM PLAGIS MEMBRORUM.

XLVII. Si quis alii crepet oculum, solvat ei LXVI. sol, et vi. denarios, et terciam partem unius denarii, que est triens. Si oculus in capite remaneat, nec tamen inde videat, remaneat tercia pars emendationis.

xLVIII. Si quis alii faciem sive maxillam amputet, Lx. sof multetur.

XLIX. Si quis homini primos dentes, i. præscisores, excusserit, vIII. sof culpa sit; si secundos, quos caninos vocant, IIII. sof emendabit; molares dentes hominis xv. sof æstimantur.

- L. Si quis homini genas frangat, emendet xv. sol.
- Si quis homini mentum frangat, xII. soi emendetur.
- LI. Qui gurgulionem perforabit alicui, XII. sol emendet.
- LII. Si linguam extrahat, sicut de oculo componat.
- LIII. Si quis sit in humero vulneratus, ut compaginis glutinum effluat. xxx. sol emendetur.
- LIV. Si brachium homini fractum sit supra cubitum, xv. sol est emendandum.
 - Lv. Si utrumque os brachii fractum sit, emendatio est xxx. sof.
- Lvi. Si pollex manus amputetur homini, xxx. sof emendabitur. Si unguis excutiatur, v. sof emendetur.
- LVII. Si secundus digitus, i. index vel salutatorius, amputetur, xx. sol culpa sit; unguis ejus, 111. sol.
- LVIII. Si medius amputetur, ejus emendatio sit xII. sol; unguis, II. sol.
- LIX. Si quartus, qui annularis dicitur, amputetur, xvII. sof culpa judicetur; unguis IIII. sof emendetur.
- Lx. Si minimus digitus amputetur, 1x. sol emendetur; unguis ejus, uno solido.
- LXI. Si quis in ilibus vulneretur, sit emendatio xxx. sol; si transforatum sit ad utrumque os, emendetur xxx. sol.
- LXII. Si coxa transpungatur homini, xxx. sol emendetur ei; si frangatur, eque sit emendatio xxx. sol.

LXIII. Si crus transforetur alicui sub genu, XII. soi emendetur; si confringatur sub genu, XXX. soi emendetur.

LXIV. Si primus et major articulus pedis amputetur, XX. sol mulcta judicetur; si secundus articulus sit, XV. sol emendetur; si tercius, IX.; si quartus, VI.; si minimus, V. sol constet.

LXV. Si quis in testiculis plagietur, ut generare non possit, emendetur ei LXXX. sol.

LXVI. Si homini sit brachium cum manu penitus amputatum ante cubitum, emendetur hoc ei LXXX. sol. Omne vulnus ante capillos, et ante manicam, et sub genu, duplo majoris emendationis sit.

LXVII. Si lumbi truncentur alicui, Lx. sol mulcta judicetur. Si intus pungantur, ad id faciant xv. sol; si transpuncti sint, id componant xxx. sol.

LXVIII. Si quis in humero plagietur, emendetur LXXX, soi, si vivat.

LXIX. Si quis homini manum extra plagiaverit, xx. sol culpa sit; si dimidia manus avolaverit, ad id reddantur xL. sol.

LXX. Si quis homini costam fregerit intra cutem integram, det x. sol ad emendationem; si cutis aperta sit, et eos extrahatur, det xv. sol ad emendationem.

LXXI. Si quis oculum, vel manum, vel pedem excutiat alicui, parem emendationem componat de singulis, i. LXVI. sol et vi. den et terciam partem unius denarii.

LXXII. Si crus alicui perexcussum sit sub genu, LXXX. sol culpa judicetur.

LXXIII. Si quis homini scapulam truncaverit, xx. sol mulctetur.

LXXIV. Si quis intro plagietur, ut os extrahatur, sit emendatio xv. sol.

LXXV. Si grossi nervi truncentur alicui, ut sanari non possint, XII. sol culpa sit. Si homo claudicet pro vulneribus nervorum, et medicamentum sanationis non admittunt, XXX. sol emendetur.

LXXVI. Si graciles nervi truncentur, vi. sol culpa judicetur.

LXXVII. Si quis in collo plagietur, ut inde perpetuam et insanabilem contrahat invalitudinem, et tamen vivat ita contumeliatus, emendetur c. soi; si non ei rectius et amplius sapientum judicia destinabunt; hoc est, ut reddantur afflictiones liberorum per plenum, servorum autem per dimidium.

LEGES INÆ REGIS WEST-SAXIÆ.

Ego Ine Dei gratia West-Saxonum rex, exhortatione et doctrina Cenredis patris mei, et Heddes episcopi mei, et Ercenwoldes episcopi mei, et omnium aldermannorum meorum, et seniorum sapientum regni mei, multaque congregatione servorum Dei, sollicitus de salute animarum nostrarum, et de statu regni mei, constitui rectum conjugium, et justa judicia, pro stabilitate et confirmatione populi mei benigna sedulitate celebrari; et nulli aldermanno vel alicui de toto regimine nostro conscripta judicia liceat abolere.

DE REGULA MINISTRORUM DEI.

1. Imprimis præcipimus, ut ministri Domini rectam discipline sancte regulam juste custodiant. Postea volumus, ut totius conjugia populi sint et judicia devote conservata.

DE INFANTIUM BAPTISMO.

11. Puer infra xxx. noctes baptizetur. Si non sit, xxx. solidis emendetur. Si moriatur sine baptismo, emendetur tota pecunia.

DE OPERE DIEI DOMINICE.

III. Si servus operetur Dominica die, per preceptum domini sui, sit liber, et dominus emendet xxx. solidos ad witam. Si servus sine testimonio domini sui operetur, corium perdat. Si liber operetur ipsa die, sine jussu domini sui, perdat libertatem suam.

DE CYRICSCEATTIS.

rv. Ciricsceatta reddita sint in festo Sancti Martini. Si quis hoc non compleat, sit reus Lx. sol, et duo decuplo reddat ipsum ciricsceattum.

DE CIRICSOCNA.

v. Si quis sit mortis reus et ad ecclesiam confugiat, vitam habeat, et emendet, sicut rectum consulet. Si quis corium

suum forisfaciat, et ad ecclesiam incurrat, sit ei verberatio condonata.

DE PUGNA.

vi. Si quis pugnet in domo regis, totius pecunie sue sit reus; et sit in arbitrio regis, utrum vitam habeat vel non. Si quis in ecclesia pugnet, cxx. sol emendet. Si quis in domo aldremanni, vel alterius sagibaronis pugnet, Lx. sol emendet. Si autem in gavelgilda, id est, in gablum reddendi domo fiat, vel in gebures, xxx. sol culpa judicetur, et ipsi geburo, vi. sol. Et licet in mediis campis sit dimicatum, cxx. sol wyte reddantur. Si quilibet in potatione decertent, et alter eorum cum patientia sustineat, reddat alius xxx. sol forisfacti.

DE FURTO1.

vii. Si quis furetur sic ut uxor ejus nesciat hoc, et pueri sui, reddat wite Lx. sol. Si in testimonio et conscientia totius familie sue furetur, transeant omnes in servitutem. Puer decem annorum debet scire, ne furtum faciat.

DE POSTULATIONE RECTI.

viii. Si quis sibi rectum roget coram aliquo scirmanno, vel alio judice, et habere non possit, et accusatus ei vadium recti dare nolit, emendet xxx. sol, et infra vii. noctes faciat ei recti dignum.

DE VINDICANTIBUS ANTEQUAM RECTUM POSTULENT.

rx. Si quis vindicet antequam rectum sibi postulet, quodcumque per vim ceperit reddat, et emendet xxx. sol.

DE ROBARIA ET VIOLENTA CAPTIONE.

x. Si quis intra commarciones regni nostri robariam, et violentam captionem faciat, reddat ipsam robariam, et persolvat, et emendet Lx. sol pro wita.

DE ILLIS QUI COMPATRIOTAS SUOS EMUNT.

xi. Si quis compatriotam suum emat, servum vel liberum, licet reus sit, ultra mare, solvat eum wera sua.

¹ sciente vel nesciente familia Hk. add.

DE FURE CAPTO.

XII. Si fur capiatur, mortem patiatur, vel vitam suam weregildo suo redimat.

DE ILLIS QUI CORAM EPISCOPO TESTIMONIUM SUUM, VEL VADIUM INFRINGUNT.

xIII. Si quis coram episcopo testimonium suum et vadium mentiatur, xxx. sol emendet.

Fures nominamus usque ad septem homines; a septem hlob, id est, cohortem vel satellites, usque ad xxv.; deinceps est here, id est exercitus.

QUI FUERIT ACCUSATUS DE HLOÐ, ID EST COHORTE.

xiv. Qui de hlob fuerit accusatus abneget per cxx. hidas, vel sic emendet.

QUI DE HEREĞ, ID EST EXERCITU.

xv. Qui hereteamus, id est, de conductione exercitus fuerit accusatus, weregildo, id est natalis sui precio, se redimat, vel secundum weram suam neget; et debet esse medietas jurantium per hulsgonges, id est xII.-hyndos.

Fur postquam est in vinculis regis, non habet hanc abnegationem.

DE FURE OCCISO.

xvi. Qui furem occiderit, debet inveritare cum juramento, quod illum culpabilem, et de vita forisfactum occidisset, et non solvat.

DE CARNE FURTIVA.

xvII. Qui furtivam carnem invenerit occultatam, si audeat, licet ei inveritare jurejurando quod sua sit. Qui investigabit eam habeat p melde feoh, id est, pecuniam indicationis vel delaturam.

DE CIRLISCO FURE CAPTO.

xviii. Cirliscus homo qui sæpe fuerit accusatus de furto, et deinceps invenietur reus in capitali vel in alia manifesta culpa, truncetur ei manus vel pes.

DE COLONO REGIS FISCALINO.

XIX. Regis geneat, id est, colonus fiscalinus, si wera sua sit XII. hund sol, id est, duodecies c. sol, potest jurare pro LX. hidis, id est, pro hominibus VI., si sit huslgenga, i. e. XII.-hindus, vel husbonda.

DE IGNOTO IN NEMORE DEVIANTE.

xx. Si quis alienigena, vel ignotus sine via vadat in nemus, ut nec ore clamet, nec cornu sonet, pro fure probandus est, vel occidendus, vel etiam redimendus.

DE WERA HOMINIS SIC OCCISI.

xxI. Si quis sic occisi weram exigat, licet inveritari, quod pro fure sit occisus, et non solvatur ipsius occisi congildonibus, vel domino suo. Si celaverit, et fiat deinceps quandoque notum, tunc ampliabit mortuo ad juramentum, quod licet parentibus suis purgare eum.

DE COLONO VEL VILLANO ALICUJUS, QUI EST FUR.

xxII. Si tuus geneat, i.e. colonus, vel villanus furetur, et amittas eum; si habeas plegium, admone eum de angildo; si non habeas, redde tu angildum, et non sit ei in aliquo remissius.

DE WERA ADVENE OCCISI.

XXIII. Si homo alienigena occidatur, habeat rex duas partes were sue, et terciam partem habeant filii, vel parentes sui. Si parentes non habeat, dimidiam habeat rex, dimidiam consocii. Si autem abbas vel abbatissa intersit, dividant eodem modo cum rege.

Wealh qui gablum reddit cxx. soi; filius ejus c. soi, servus Lx. soi, somhwylcne L., servi corium xII.

DE FURE ANGLICO.

xxiv. Si Anglicus furetur, qui per forisfacturam inservierit, suspendatur, et non solvatur domino suo. Si occidatur, non solvatur parentibus suis, si eum intra xii. menses non redemerint.

Wealh, si habeat v. hidas, est sixhinde.

DE MERCATORIBUS 'ALIQUID EMENTIBUS!

xxv. Si mercator in populis emat aliquid, faciat hoc coram testibus. Si quid furtivum intercietur super mercatorem, et hoc coram bonis testibus non emerit, juret secundum witam, quod nec furti conscius, vel coadjutor fuerit in eo, vel emendet xxxvi. sol wite, i. e. forisfacture vel emendationis.

DE NUTRITURA INVENTI PUERI.

xxvi. Ad inventicii pueri victum, primo anno vi. sol reddantur; secundo anno xii. sol; tercio anno xx. sol; deinceps secundum precium suum.

DE PUERO IN OCCULTO PROCREATO.

xxvII. Qui in occulto puerum genuerit, et celaverit, non habeat pueri ipsius weram, si occidatur, sed rex et dominus suus.

DE FURE CAPTO CUM FURTO.

xxvIII. Qui furem ceperit habeat inde x. soi, et rex ipsum furem; et parentes ejus abjurent ei factionem. Si repugnet vel aufugiat, reus sit wite; si negare velit, abneget secundum modum pecunie et wite.

DE PRESTANTIBUS GLADIUM, VEL LANCEAM, VEL EQUUM, AD HOMICIDIUM.

xxix. Qui gladium præstabit ad homicidium, si occidatur homo, reddat tertiam partem compositionis ejus. Qui lanceam prestiterit, dimidiam weram. Qui equum prestiterit, totum reddat.

SI CIRLISCUS HOMO FORISBANNITUM FIRMET.

xxx. Si cirliscus homo forisbanniti firmationis accusetur, per suam ipsius weram neget. Si non possit, persolvat eum wera sua: et se gesiþman etiam sic per weram suam.

DE EMENTE FEMINAM, ET PRECIUM RETINENTE.

xxxi. Si quis emat sibi feminam, preciumque non compleat, reddat ipsam pecuniam, et persolvat, et emendet plegio, sicut erit infractio plegii sui.

DE WERA WALISCI.

XXXII. Si homo Waliscus habeat hidam terre, wera sua est cxx. sol; si dimidiam habeat, Lxxx. sol; si nullam habeat, Lx. sol.

DE WERA WALISCI STABULARII REGIS.

xxxIII. Regis equi stabularius Waliscus, qui sibi nuntiare possit ad eum, weregildum ejus est cc. sol.

DE PRESENTE UBI ALIQUIS FUERIT OCCISUS.

xxxiv. Qui in collegio fuerit ubi aliquis occisus sit, adcredulitet se, quod eum non percussit, vel emendet, secundum occisi weregildum. Si weregildum ejus sit cc. soi, emendet L. soi: et idem rectum fiat de carius genitis.

DE INTERFICIENTE FUREM.

xxxv. Qui furem occiderit, licet ei probare jurejurando, quod eum fugientem pro fure occidit, et parentibus ipsius occisi juret unceases ab, i. e. sacramentum sine electione vel nominatione. Si concelaverit, et sit deinceps manifestatum, tunc persolvat eum.

Si ad illum hominem pecunia vocetur, qui prius abjuraverat, vel abjurare vult, perneget secundum modum wite et precium pecunie. Si nolit abjurare, emendet ipsum mainaŏ, i. e. perjurium dupliciter.

DE FURE CAPTO ET DIMISSO, VEL FURTO CELATO.

xxxvi. Qui furem ceperit, vel captum reddiderit, et ipsum dimiserit, vel furtum celaverit, reddat ipsum furem, secundum weram suam. Si aldermannus sit, perdat comitatum suum; nisi ei rex parcere velit.

DE CULPA CIRLISCI HOMINIS DE FURTO SUSPECTI.

xxxvII. Cirliscus homo, qui fuerit sepe-inculpatus de furto, et postea culpabilis inventus in capitali vel aliter in manifesto reus, amputetur ei manus, vel pes.

¹ cordubi hominis terram habentis. Hk.

DE FEMINA QUÆ PER CEORLUM PUERUM HABEAT, ET IPSE ABEAT!

xxxvIII. Si ceorlus et femina puerum simul habeant, et abeat homo viam suam, habeat mater puerum suum, et nutriat; reddantur ei vi. sol ad nutriendum; vacca in estate, bos in hyeme. Custodiant parentes ejus hoc primum captale, donec puer excreverit.

DE DISCEDENTE A DOMINO SUO SINE LICENTIA.

XXXIX. Si quis discedat a domino suo sine licentia, vel in alium comitatum se furetur, et deinceps inveniatur, redeat illuc ubi antea fuit, et emendet domino suo LX. sol.

DE VILLANI 2 MANSIONE CLAUDENDA.

xL. Ceorles weorbig, i. e. rustici curtillum, debet esse clausum estate simul et hyeme. Si disclausum sit, et introeat alicujus vicini sui captale per suum apertum, nichil inde recipiat, sed educat et patiatur dampnum suum.

DE PLEGIO NEGANDO.

XLI. Plegium licet homini pernegare, si sciat quod rectum faciat.

DE VILLANORUM & PASCUIS CLAUDENDIS.

XLII. Si ceorli habeant herbagium in communi, vel aliam compascualem terram, vel divisam claudendam, et quidam eorum partem suam clauserint, quidam vero non, et comedant eorumdem compascuales acras, vel herbagium; eant tunc illi quorum porta fuerit, et emendent illis, qui partem suam clausam habent, dampnum quod factum sit, et adquirant sibi de captali sic rectum, sicut congruum sit. Si vero sit animal quod sepes frangat, et quolibet introeat, et dominus eujus animal est nolit ipsum custodire, vel non possit; capiat hoc in cujus acra obviabit, et occidat, et recipiat agenfriga corium ejus et carnem, et patiatur de cetero.

DE NEMORIS COMBUSTIONE.

XLIII. Si quis in nemore trabem combusserit, et notum

 ^{1&#}x27; Si recte contubernales puerum habeant, et vir abeat. Hk.
 2 ciola Hk.
 3 divisis Hk.

denique fuerit in auctore, solvat plenam witam, et emendet Lx. sof; quia ignis est fur.

Si quis in nemore multa ligna ceciderit, et postea compareat, solvat tria ligna, unumquodque xxx. sol; neque amplius cogitur per legem solvere, quotquot fuerint; quia securis acclamatrix potius est, non fur.

DE LIGNO TRUNCATO, SUB QUO XXX. PORCI STARE POSSUNT.

xLIV. Si quis lignum truncabit, sub quo xxx. porci stare possint, et compareat, xxx. soi emendet ad witam.

DE BURGI FRACTURA.

xLv. Burgi fractura debet emendari cxx. sol, regis et episcopi, ubi sedes ejus est; aldermanni, Lxxx. sol; taini regis Lx. sol; et sibcundi hominis, terram habentis, xxxv. sol, aut per id negare.

DE HOMINE DE FURTO VEL RETECTO CULPATO.

XLVI. Quando aliquis inculpatur, quod furtum fecerit, vel furtivum aliquid firmaverit, tunc debet per Lx. hidas, id est, per vi. homines abnegare, si juramento dignus sit. Si vero Anglicus in furto compellabitur, neget dupliciter. Si sit Waliscus non sit jusjurandum eo amplius.

Omni homini licet firmationem et were factionem negare, si possit et velit.

NON DEBET ADVOCARI AD SERVUM, SI FURTIVUM INTERCIETUR.

XLVII. Si aliquid furtivum intercietur, non debet advocari ad servum.

DE ILLO QUI PROPTER FORISFACTUM IN SERVITUTEM TRANSIT.

XLVIII. Si quis propter forisfactum suum noviter inservierit, et accusetur quod furtum fecerit antequam in servitutem transierit, tunc habeat compellator verberationem unam in eo; perducat eum ad verbera, secundum captale suum.

DE OBVIANTE PORCO IN PASNAGIO SUO.

xLIX. Si quis obviet porcis sine licentia in pasnagio suo, capiat vadium vi. sol valens. Si non fuerint ibi sepius quam

semel, det agenfriga 1. sol, et inveritet quod sepius non fuerunt ibi, secundum captale precium. Si fuerint illic bis, det 11. sol.

Si pasnagium capiatur de porcis, de tridigitali tercius, de duodigitali quartus, pimelo quintus.

DE COMPOSITIONE SIDCUNDI HOMINIS CUM REGE, VEL ALDERMANNO REGIS, PRO FAMILIA SUA, VEL CUM DOMINO, PRO SERVO ET LIBERO.

L. Si homo sibcundus agat cum rege, vel cum regis aldermanno, pro familia sua, vel cum domino suo, pro servo vel libero, non habeat ibi aliquam wite redditionem ea vice, quia noluit eos prius a malo castigare domi.

DE SIDCUNDO EXPEDITIONEM REGIS SUPERSEDENTE.

LI. Si homo sipcundus terrarius expeditionem supersedeat, emendet cxx. soi, et perdat terram suam; non habens terram, Lx. soi.; cirliscus, xxx. soi, pro fyrdwita.

DE ACCUSATIONE ALICUJUS OCCULTI.

LII. Qui de occultis actionibus fuerit accusatus, neget cxx. hidis, aut cxx. sol emendet.

DE FORISFANGIO FURTIVI HOMINIS.

LIII. Si homo furtivus intercietur super aliquem, et sit ille mortuus qui vendidit eum homini, super quem interciatur, advocet tamen ipsum ad mortui tumulum, sic aliam pecuniam, sicut sit; et juret per Lx. hidas, quod ea mortua manus vendidit ei; et per hoc jusjurandum wita remaneat, et reddatur interciatus domino suo. Si tunc sciat, quis mortui pecuniam hæreditavit, appellet in ipsam pecuniam, et roget ipsam manum, ut hoc captale quietum ei faciat, vel ostendat, quod nunquam ipsius mortui pecunia fuit.

DE ACCUSATO DE HOMICIDIO, ET NEGARE VOLUERIT.

LIV. Qui wer fehthe, id est, de homicidio fuerit accusatus, et negare voluerit occisionem illius cum jurejurando, tunc debet esse in ea societate unum regium jusjurandum per xxx. hidas; sic de sibcundo homine, sic de cirlisco. Si reddatur, licebit

dare in illa societate quorumcumque hominum loricam et gladium, si opus sit, in weregildo.

Wita servus, homo Waliscus, debet superjurare per xII. hidas; sic servus ad verbera; Anglicus homo per xXIIII. hidas.

DE PRECIO OVIS CUM AGNO SUO.

Lv. Ovis cum agno suo valet unum solidum, usque ad xIIL noctes post Pascha.

DE ANIMALI INFIRMO VENDITO!

Lvi. Si aliquod vivum captale persolvatur, et inveniatur quelibet infirmitas in eo, infra xxx. noctes, rejiciatur in manus toagenti, vel juret, quod nullum facinus inesse sciebat, quando vendidit ei.

²DE NATIVO, IN CUJUS DOMO ANIMAL FURATUM INVENIATUR.'

LVII. Si ceorlus furetur aliquod captale, et deferat in habitaculum suum, et intercipiatur ibi, sit sue parti reus, præter feminam suam; si audeat jurejurando satisfacere, quod de ipso furto non gustavit, habeat suam terciam partem pecunie.

DE EMENDATIONE CORNU, VEL CAUDE, VEL OCCULI, BOVIS VEL VACCE.

LVIII. Bovis cornu debet emendari v. denariis.

DE VACCE CORNU.

LIX. Vacce, v. den.; bovis cauda, v. den.; vacce, v. den.; bovis oculus v. den. componendus est; vacce, I. sol.

Man sceal simle to beregafule agyfan æt anum wirhtan vi. pundpæga.

DE BOBUS CONDUCTIS.

Lx. Si villanus alterius boves locaverit, si habeat totum in annona persolvere, videatur hoc, et reddat. Si non habeat, reddat dimidium in annona, dimidium in alio captali.

^{1&#}x27;Si inveniatur infirmitas in captali persoluto, vel vendito. Hk.

^{2&#}x27; Si ceorlus intercipiatur furatum quid in domum suam attulisse. Hk.

DE CIRICSCEATTIS, UBI DANDE SUNT.

LXI. Ciricsceattum debet reddere homo a culmine et mansione, ubi residens erit in Natali.

DE ACCUSATO PRO DELICTO ET ITERUM FUIT ACCUSATUS.

LXII. Quando aliquis homo fuerit accusatus, et ad fauces coartatur, nec habet aliquid ad dandum ante certamen, et vadit alius, et dat suum captale pro eo, tali pacto, ut idem transeat in manum ei, donec captale suum possit illi intimare. Si iterum accusetur alia vice, et ad componendum pertrahatur, si ei præesse nolit, qui captale suum dedit pro eo antea et hoc anticipaverit, perdat captale suum, quod antea pro eo dederat.

DE HOMINE SIĐCUNDO MUTANTE MANSIONEM SUAM.

LXIII. Si homo sibcundus transmigret, liceat ei habere socios suos secum, et fabrum, et nutricem suam.

DE HABENTE XX. HIDAS, ET MUTANTE MANSIONEM.

LXIV. Qui habet xx. hidas, debet committere xII. hidas vestite terre, quando velit abire.

LXV. Qui habet x. hidas terre debet reddere vi. hidas vestitas.

LXVI. Qui habet tres hidas terre, ² tecnet unam hydam et dimidiam.

DE VIRGATA TERRE AD GABLUM ACCIPIENDUM.

LXVII. Si quis componat pro virgata terre vel amplius ad gablum, et arabit, si dominus velit ei terram illam ponere ad gablum et opus, non necesse est hoc excipi, si nulla domus commissa sit ei, nec perdat acras ipsas.

DE HOMINE SIDERCUNDO FUGATO.

LXVIII. Si homo sibcundus fugetur, profugio domus erit, non ipsius sedes.

^{1&#}x27; Si quis accusatus transierit in manus redimentis, et iterum delinquat. Hk. 2' reddat Hk. Br.

DE OVIS TERMINO CUM VELLERE SUO.

LXIX. Ovis debet ire cum vellere suo usque ad mediam estatem, aut persolvatur vellus 11. den.

DE TWIHINDI. HOMINIS WERA, VEL VL-HINDI, VEL XIL-HINDI.

LXX. De twyhindi hominis wera debent reddi XXX. sol ad manbotam; de vi.-hindo LXXX. sol debent reddi; de XII.-hindo CXX. sol.

De x. hidis ad corredium debent reddi x. dolia mellis, ccc. panes, x11. ambre cervisie Walisce, xxx. hluttres, duo boves, vel x. arietes, galline xx., casei x., plena ambra butyri, salmones v., xx. pondia fodri, et c. anguille.

DE HOMICIDA ACCUSATO PRIMO NEGANTE, POST CONFITENTE.

LXXI. Si quis sit de homicidio accusatus, et idem confiteatur ante jusjurandum, et prius abnegasset, exspectetur de wite redditione, donec ipsa wera reddita sit.

DE WEREGILDI FURIS FORISFANGIO.

LXXII. Si weregildus fur capiatur, et ipsa die perdant eum qui ceperant illum, si iterum capiatur ipsa nocte, non habebitur amplius inde quam plena wita.

DE FURTO QUOD VETUS EST UNA NOCTE.

LXXIII. Si vero sit una nocte vetus furtum, emendent illi culpam qui ceperunt illum, sicut inde componere poterunt apud regem et præpositum suum.

DE SERVO WALISCO ANGLICUM OCCIDENTE.

LXXIV. Si servus Waliscus Anglicum hominem occiderit, debet ille cujus est reddere eum domino et parentibus, aut LX. sol dare pro vita sua. Si dominus ejus nolit hoc captale pro eo dare, liberum faciat eum, et solvant parentes illius weram occisi, si cognationem habeat liberam: si non habeat, observent eum inimici sui. Non cogatur liber cum servo cognationem solvere, nisi velit eum factione liberare; nec servus cum libero.

DE FURTIVI CAPTALIS FORISFANGIO.

LXXV. Si furtivum captale intercietur, et ille super quem intercietur advocet inde: si advocatus nolit hoc recipere, et dicat, quod nunquam hoc ei vendidit, sed aliud, tunc licebit appellanti ipsam manum in verum mittere, quod nullum aliud vendidit ei quam id ipsum.

DE OCCIDENTE FILIOLUM, VEL PATRINUM ALICUJUS.

LXXVI. Si quis filiolum alterius occidat, vel patrinum, sit simile cognationi, et crescat emendatio secundum weram, sicut manbota facit erga dominum. Si sit filiolus regis, emendet secundum weram ejus regi, sicut cognationi. Si de parentela ipsius sit, qui occidit eum, tunc excidat emendatio patrini, sicut manbota domini. Si episcopi filius sit, sit dimidium hoc.

•FŒDUS

INTER

ALFREDUM ET GUTHRUN.

Hec sunt instituta pacis, que Alfredus rex, et Godrun rex, et omnes Anglie sapientes, et omnes populus, qui sunt in East-Anglia constituerunt, et jurejurando confirmaverunt, pro seipsis et junioribus suis, progenitis et ingenitis, qui Dei misericordiam diligunt et nostram.

DE COMMARCIONIBUS.

1. Imprimis de nostris commarcionibus sursum in Tamesi, et tunc ¹ superius in Liga, et tunc in longum usque ad exortum ejus, tunc in rectum ad ² Bedefordium, tunc sursum in Usa ad Wetelinga Strete.

DE PRECIO OCCISI DACI VEL ANGLI.

11. Hoc est autem primum: Si quis occidatur, omnes reputamus eque caros, Dacum et Anglum, ad viii. dimidias marcas cocti auri, preter ceorlum, i. e. rusticum, qui in gafulland, i. e. in terra censaria manet, et eorum redemptiones, sunt eque care, cc. sol.

SI TAINUS ACCUSETUR HOMICIDII.

velit, faciat hoc cum xII. tainis regis. Si tainus accusetur, qui minus possit quam tainus regis, adlegiet secum xII. 'parium suorum, et cum uno taino regis. Et sic in omni causa, que major sit quam IIII. mance. Et si non audeat, solvat illum tripliciter, sicut adpreciabitur.

1 secundum Ligan, Hk.

² Redefordium Hk. M.

Textus est ex T., cum M. et Hk. collato.

474 FŒDUS INTER ALFREDUM ET GUTHRUN.

UT SCIAT QUISQUE SUUM ADVOCATUM DE OMNI RE EMPTA.

IIII. Et omnis homo sciat advocatum suum de hominibus, et de equis, et de bobus.

NE QUIS ADEAT EXERCITUM VEL REGEM, SINE LICENTIA VEL NECESSITATE.

v. Et omnes ediximus in illa die qua juramenta facta sunt, ne servus vel liber audeant in exercitum ire sine licentia, nec eorum aliquis ad nos. Si eveniat, quod pro necessitate velit aliquis illorum erga nos emptionem habere, vel nos cum ipsis, de pecore, vel pecunia, hoc tolerandum est eatenus ut fidejussores dent ad vadium pacis, et ostensionem, ut sciatur quod clene bec, i. e. mundam carnem habeant.

*LEGES REGIS EDWARDI.

DE JUDICIIS JUSTE JUDICANDIS, ET PLACITO RECTE TERMINANDO.

Edwardus Rex mandat et precipit omnibus prefectis, et amicis suis, ut justa judicia judicent quam rectiora possint, et in judiciali libro stant, nec parcant, vel dissimulent, pro aliqua re, populi rectum et jus publicum recitare; et unumquodque placitum terminum habeat, quando peragatur, quod tunc recitabitur.

DE EMPTIONE ET ADVOCATIONE.

1. Et volo, ut omnis homo habeat advocatum suum, et nemo barganniet extra portum, sed habeat portireve testimonium, vel alterius non mendacis hominis, cui possit credi. Quod si quis extra portum barganniet, overhyrnesse regis culpa sit, et procedat tamen advocatio, donec sciatur in quo consistet. Amplius diximus de illo, qui advocare debet, ut habeat credibile testimonium de hoc quod recte advocat, vel jusjurandum inveniat, cui repetens credere debeat. Sic diximus de propriatione similiter, ut adducat credibile testimonium de eo. vel jusjurandum inveniat, si possit, non tamen selectum, in quo repetenti satis sit. Si non possit, nominentur ei sex homines de eadem geburscipa in qua ille residens est, et adquirat ex illis sex unum pro animali uno vel pecore, quod hoc valeat, et postea crescat, secundum captalis estimationem, si plures adesse debeant. Eciam diximus, si aliquis malorum esset, qui vellet alterius pecus per plegium mittere pro wibertihlan, i. e. pro injusta accusatione, ut jurejurando monstret, quod pro nullo facinore hoc faciat, sed plena rectitudine, butan brede and bigswice, id est, sine figmento et seductione; et faciat quod audeat super quem invenitur; vel sibi propriet, vel advocet.

^a Textus est ex T., cum Hk. M. et Br. collato.

DE DIFFORCIANTE ALICUI RECTUM, VEL IN FOLCLAND VEL IN BOCLAND.

11. Item diximus cujus dignum esset, qui rectum alicui difforciet, vel in bocland, vel in folcland, et ut ei adterminetur in folcland, quando velit ei rectum facere, coram preposito suo. Si tunc rectum non habeat, nec in bocland, nec in folcland, sit ille qui rectum difforciat reus xxx. sol erga regem, et altera vice item sic, ad terciam vicem, overhyrnesse regis, hoc est cxx. sol, si non cesset, et antea satisfaciat.

DE PERJURIIS.

III. Item diximus de illis hominibus qui perjuri fuerint, si manifestum sit, vel eis juramentum fregerit, vel overcythed fuerit, ut deinceps non sint digni juramento, sed ordalio.

DE PACE, ET NE QUIS ALII RECTUM SUUM DIFFORCIET.

IIII. Edwardus Rex admonuit omnes sapientes suos, quando fuerunt Exonie, ut investigarent simul et quererent, quomodo pax eorum melior esse possit quam antea fuit; quia visum est ei, quod hoc mediocrius impletum sit quam deceret, et quam antea precepisset. Inquisivit itaque qui ad emendationem velit redire, et in societate permanere, qua ipse sit, et amare quod amet, et nolle quod nolit, in mari et in terra; hoc est tunc, ne quisquam rectum difforciet alicui. Si quis hoc faciat, emendet, sicut supra dictum est, prima vice xxx. sot, secunda vice similiter, ad terciam vicem cxx. sot regi.

DE PREPOSITIS, AUDITO TESTIMONIO, RECTUM FACERE NOLENTIBUS.

v. Et si prepositus amoveat rectitudinem, per eorum testimonium qui testes adnumerati sunt ei, reddat overhyrnessam meam.

DE HOMINE FURTO ACCUSATO.

vi. Si quis accusetur de furto, capiant eum in plegium, qui domino suo commendaverunt illum, quod de hoc se adlegiet, vel alii amici, si habeat, faciant hoc. Si nesciat quis eum capiat in plegium, accipiant illi, quibus hoc pertinet, de pecunia sua inborhgum. Si neutrum habeat, nec pecuniam suam nec alium plegium, tunc servetur ad judicandum.

.)

DE ILLIS QUI SUUM PROPRIUM NOLUNT QUERERE CONDUCENDIS.

vii. Etiam volo, ut omnis homo simul habeat illos homines paratos in terra sua qui conducant eos, qui suum proprium querere volunt, et eos pro nulla mercede manuteneant; nec inmundum alicubi pacificent vel firment, ex possibili vel impossibili.

DE ILLO QUI INMUNDUM PACIFICAVERIT VEL FIRMAVERIT.

viii. Si quis hoc superhabeat, et juramentum suum frangat, et vadium, quod omnis populus contulit, emendet, sicut liber judicialis dicit. Si autem nolit, perdat omnium nostram amicitiam, et omne quod habebit. Si quis eum deinceps firmabit, emendet, sicut liber judiciorum docet, ac debet, qui flyman, i. e. forsbannitum confirmabit, si sit hic intus; si sit East intus, si sit North intus, sicut scripta pacis continent, emendet.

DE EO QUI LIBERTATEM SUAM FORISFECERIT.

rx. Si quis pro furti compellatione libertatem suam forisfaciat, et manum suam in manum mittat, et parentes sui deserant eum, et nesciat quis emendet pro eo, tunc sit dignus opere servili, quod ad id pertinet, et excidat wera parentibus ejus.

NE QUIS RECIPIAT ALTERIUS HOMINEM SINE LICENTIA.

x. Et non recipiat aliquis hominem alterius, sine licentia illius cui ante servivit, priusquam innocens sit apud omnem manum. Si quis hoc secus faciat, emendet overhyrnissam meam.

QUIBUS TERMINIS PREPOSITI PLACITA SUA TENERE DEBEANT.

xi. Volo ut omnis prepositus habeat gemotum semper ad quatuor ebdomadas, et efficiat ut omnis homo publicum rectum habeat, et omne placitum capiat terminum, quando proveniat, et finem. Si quis hoc excipiat, emendet, sicut ante dictum est.

· LEGES

REGUM ALFREDI ET GODRINI.

ADHUC DE LEGIBUS DICTORUM REGUM ALFREDI ET GODRINI.

Hoc est consilium quod Æluredus rex et Gudrun rex elegerunt et condixerunt, quando Angli et Dani ad pacem et ad concordiam plene convenerunt, et sapientes, et qui postea successerunt, sepius hoc et assidue renovantes, in bonum semper adauxerunt.

Imprimis est, ut unum Deum diligere velint, et omni paganismo sedulo renunciare. Et instituerunt secularem justitiam, pro eo quod sciebant, quod non poterant multos aliter castigare; plures vero nolebant ad Dei cultum, sicut deberent, aliter inclinari. Et secularem emendationem instituerunt communem Christo et regi, ubicumque recusabitur lex Dei juste servari, secundum dictionem episcopi.

DE DILECTIONE DEI ET PACIS ECCLESIE.

1. Et hoc est primum edictum ut ecclesie pax, inter parietes suos, et regis handgrith, semper inconvulsa permaneant.

DE NEGLIGENTIBUS LEGEM CHRISTI, ET PAGANISMUM VENERANTIBUS.

11. Et si quis Christianitatem suam male mittat, vel paganismum veneretur, verbis vel operibus, reddat sic weram, sic witam, sic lahslit, secundum quod factum sit.

^{1&#}x27;De emendacione seculari communi Christo et regi, et de pace ecclesie, et regis handgriö. Hh.

^a Textus est ex Br., cum Hk. M. et T. collato.

DE ORDINATIS MALE VIVENTIBUS!

perjuret, vel fornicetur, emendet sicut factum erit, sic weram, sic witam, sic lahslit, et erga Deum saltem emendet juxta sanctorum canonum doctrinam; et plegium faciat inde, vel mittatur in carcere. Et si presbiter populum suum misdoceat de festo vel de jejunio, reddat xxx. sol cum Anglis, et cum Danis 111. dimidias marcas. Si presbiter ad rectum terminum sanctum crisma non perquirat, vel baptismum perneget ei cui necesse sit, reddat witam cum Anglis et cum Danis lahslit, id est x11. oras.

DE SIBLEGERIS.

IIII. Et de siblegeris sapientes instituerunt, ut rex habeat superiorem, et episcopus inferiorem, nisi dignius emendetur, pro Deo et pro seculo, juxta modum facti, sicut episcopus docebit. Si duo fratres, vel duo cognati cum una aliqua fornicentur, emendent in omni mansuetudine, sicut eis permittetur, sic wita, sic labslite, secundum modum facti.

Et si ordinatus homo se forisfaciat in morte plectendis actibus, exsuperetur, et episcopi judicio reservetur.

DE REO MORTIS QUI CONFITERI DESIDERAT SACERDOTI.

v. Et si quis reus mortis profiteri desideret sacerdoti, nunquam negetur ei. Et omnes Dei rectitudines pacificentur sedulo, per Dei misericordiam, et per witam quam sapientes addicent.

DE DECIMIS DEI RETENTIS, ET ALIIS ECCLESIE RECTITUDINIBUS.

vi. Et si quis decimam contrateneat, reddat lahslit cum Danis, witam cum Anglis. Si quis Romfech superteneat, reddat lahslit cum Danis, witam cum Anglis. Si quis non reddat simbolum luminis, reddat lahslit cum Danis, witam cum Anglis. Si quis Dei rectitudines aliquas difforciet, reddat lahslit cum Danis, witam cum Anglis. Si contra stet, et hominem vulneret, de wita componat. Si aliquem dejiciat in mortem,

^{1&#}x27; Si ordinatus furetur, vel prelietur, vel perjuret, vel fornicetur. Hk.

sit utlaga vel exlex, et persequatur eum cum clamore omnis qui rectum amat. Et si faciat ut occidatur, pro eo quod contra Dei rectum et regis imperium stet, si hoc inveritetur, jaceat ¹orgilde.

DE ILLIS QUI MERCANDISANT IN DIEBUS DOMINICIS.

vII. Si quis in die Dominica negotiationem facere præsumat, perdat ipsum captale, et XII. oras cum Dacis, et XXX. sol cum Anglis. Si liber festis diebus operetur, perdat libertatem suam, vel reddat witam vel lahslit. Servus corium suum perdat, vel hyd-gildum. Si dominus cogat servum festis diebus operari, reddat idem dominus lahslit cum Dacis, et witam cum Anglis.

DE JEJUNIIS INFRACTIS.

viii. Si liber homo rectum jejunium frangat, reddat witam vel lahslit. Si servus hoc faciat, perdat corium suum, vel hydgildum.

DE DIEBUS IN QUIBUS ORDALIUM ET JUSJURANDUM PROHIBENTUR.

1x. Ordalium et jusjurandum festis diebus et legitimis jejuniis legibus est interdictum; et qui hoc fregerit, reddat lahslit cum Dacis et witam cum Anglis.

Si fieri possit, nunquam occidatur aliquis in festo Dominice diei, quicquid peccaverit, sed capiatur et servetur, donec festus dies transierit.

²DE FORISFACTIS ET DISFACTIS MEMBRIS.

x. Si quis forisfactus, et de membris disfactus dimittatur, et idem, post afflictionem suam, tres noctes vivat, potest ei deinceps, per episcopi licentiam, subveniri, si quis ejus doloribus condescendat et anime.

DE SORTILEGIS, INCANTATORIBUS, VENEFICIS, PERJURIS, ET HIIS SIMILIBUS.

xI. Si sortilege vel incantatrices, perjuri et venefici, vel mortem facientes, fede fetide, vel meretrices cognite alicubi compareant, relegentur de patria, et emundetur populus, vel in patria dispereant omnino, nisi cessent et profundius emendent.

¹ egilde. Hk. M. 2' De penitentiali subventione disfacto. Hk.

DE ORDINATIS VEL ALIENIGENIS IN ALIQUO, DE PECUNIA VEL VITA, SEDUCTIS.

xII. Si ordinatus, vel alienigena seducatur in aliquo, de pecunia vel vita, tunc debet ei esse rex, vel comes illius terre, et episcopus gentis ipsius, pro cognatione et advocato, si penitus alium non habeat; et emendetur sedulo, juxta modum facti, Christo et regi, sicut decebit, vel illud factum profunde nimis vindicet, qui rex sit in populo.

*DE WEREGILDIS.

Twelfhindi hominis weregildum est twelf-hund scillinga, i. e. duodecies c. soi, qui faciunt libras xxv.

Twihindi hominis wera est twa-hund, scilicet ducenti sol ex v. scl denariis, qui faciunt 1111. lib et xL. d.

Si homo occidatur, sicut natalis ejus erit persolvatur. Et rectum est, ut homicida, ¹postquam weregildum mortui vadiaverit, inveniat were plegios, sicut ad eam pertinebit: hoc est, de twelfhindi hominis weregildo debent dari xII. homines ad wereplegium, viii. de cognatione patris, et iiii. de cognatione matris. Cum hoc factum erit, elevetur inter eos regis munde. i.e. pax; hoc est, ut omnes, communi manu, de utraque cognatione, in uno armor mediatori dent, qui regis munde stet inter eos. A die illa in xxI. noctes reddentur cxx. sof pro ealfango. De twelfhindi hominis weregildo, healfangum debent habere filii, fratres, et federan, i. e. fratres patris. Non pertinet alii cognationi pecunia ista, nisi illis qui sunt intra cneowe, i. e. genu. A die illa qua healfangum redditum sit. in xxI. noctes reddatur manbota; inde in xxI. noctes fihwita, i. e. forisfactura pugne; inde in xxI. nocte ipsius were frumgildum, i. e. prima redditio; et sic postea, donec persolvantur infra terminum, quem sapientes instituent. Deinde liceat per amorem procedere, si perfectam velit amicorum consocietatem habere.

quia?

² amor *Hk*.

¹ priusquam M.

a Textus est ex M., cum Hk. collato.

Eodem modo debet per omnia de cirlisci hominis wera fieri, secundum mensuram que pertinet ei, sicut de twelfhindo narravimus.

*DE JURAMENTIS.

JURAMENTA LEGITIMA FIDELITATIS, REPETITIONIS, ALLEGATIONIS.

- I. In illo Deo, pro quo sanctum hoc sanctificatum est, volo esse domino meo N. fidelis et credibilis, et amare que amet, et absoniare que absoniet, per Dei rectum et seculi competentiam; et nunquam, ex velle vel posse, verbo vel opere, quicquam facere, quod ei magis displiceat; ut me teneat, sicut deservire volo, et totum mihi compleat, quod in nostra prelocutione fuit, quando suus deveni, et ejus elegi voluntatem.
- 11. Per illum Deum, pro quo sanctum hoc sanctificatum est, ita causam prosequor, plena populi rectitudine, sine brede et biswice et omni facno, sicut mihi furtivum est hoc pecus N., de quo loquor, quod cum N. deprehendi.
- III. In illo Deo, non fui in consilio, vel in acta consulens, vel agens, ubi, per injustitiam vel facinus, abduceretur pecus hoc N. Sed sic pecus habeo, sicut recte adquisivi. Et sic advoco, sicut hoc mihi vendidit, cui in manu mitto. Et sic pecus habeo, sicut mihi vendidit, cui jure pertinebat. Et sic pecus habeo, sic de meo proprio venit, et sicut in jure publico meum intus genitum et educatum.
- IIII. In Omnipotenti Deo, non attraho mihi hoc N. pro amicitia, vel inimicitia, vel pro injusto lucro; nec verius inde scio, quam mihi sagemannus meus dixit, et ipse in veritate loquor, quod pecunie mee latro fuit N.
- v. In Omnipotenti Deo, innocens sum actionis et dictionis ab ea compellatione, qua N. me compellat.
- vi. In ipso Deo, jusjurandum est de me in memet ne quod N. juravit, neque * *.

^a Textus est ex Hk., cum M. collato.

- vii. Per Omnipotentis Dei nomen, tu mihi promisisti sanum
- ix. * * illa re de qua loqueris, ful nec facnum, non wac non wom, illius diei termino quo tibi vendidi: sed utrumque fuit, et hal et clene, sine omni facno.*
- x. In Dei viventis nomine, sic pecuniam exigo, sicut mihi minus est de eo quod N. in conventione habuit, quando meum N. ei vendidi.
- xi. In Dei viventis nomine, non debeo N. pecuniam, vel solidum, nec denarium, nec denarii valens, sed totum ei persolvi, quicquid debeam, sicut verba nostra dicta sunt a principio.
- xII. Misse-presbyteri, et secularis tayni jusjurandum, in Anglorum lege, reputatur eque carum; et pro vII. ordinibus ecclesie, quo sacerdos, per Dei donum, ascendit, ut haberet tayni rectitudinem dignus est.
- xIII. Twelfhindes hominis jusjurandum contravalet jusjurandum vi. villanorum; quia si twelfhindus homo vindicari deberet, plene vindicaretur in vi. ceorles, et ejus weregildum est vi. ceorlorum weregildum.

DE WEREGILDIS SINGULARUM PERSONARUM CUM ANGLIS.

- 1. Regis weregildum est cum Anglis in jure publico xxx. millia þrimsa, id est xv. millia þrimsa sunt de wera, et xv. millia cynedomes, id est regie censure. Ipsum natalis ejus precium pertinet cognationi, et cynebot ipsius terre nationi.
 - 11. Comitis weregildum est xv. millia þrimsa.
 - III. Episcopi et aldermanni vIII. millia þrimsa.

^a In MSS. cap. VII. ex capitum VII. et IX. fragmentis componitur. Cap. VIII. utrique deest.

Textus est ex Hk., cum M. et T. collato.

- IIII. Holdes et summi prepositi IIII. millia primsa.
- v. Messe-pegnes et woruld-pegnes, id est presbiteri et secularis thayni, 11. millia primsa.
- vi. Ceorles weregildum est cc. et Lxvi. þrimsa, id est cc. sol, secundum lagam Mercennorum.
- vII. Et si Waliscus promoveatur, ut habeat familiam, et terram, et possit gablum regis reddere, tunc est wera ejus ccxx. sol. Et si non assurgat nisi ad dimidiam hidam, tunc sit wera, id est precium solvendi eum, Lxxx. sol.

vIII. * * *.1

- IX. Et si ceorlman promoveatur, ut habeat v. hidas terre, ad utweram regis, et occidatur, reddantur II. millia þrimsa.
- x. Et si assequatur, ut habeat loricam, et galeam, et deauratum gladium, si terram non habeat, tamen est ceorlus.
- xi. Et si filius ejus, et filius filii ejus hoc assequatur, ut tantum terre habeat, postea est qui nascetur ex eis sibcunde generationis ad 11. millia þrimsarum.
- xII. Et si non habeat hoc, nec ad id conscendat, componatur de eis sicut de cirlisco.

DE EODEM IN MERCENNORUM LAGA.

Ceorles weregildum est in Mercennorum laga cc. soł. Tayni weregildum est sexies tantum, i. e. duodecies c. soł. Regis simplum weregildum est sex taynorum weregildum, in Mercennorum laga, hoc est xxx. millia sceatta, id est totaliter cxx. libre; tantum est de weregildo; sed pro dignitate regni debet addi tantundem in cynegildo. Ipsam weram debent habere parentes ejus, et regni emendationem ipsius terre populus.

1 in wss. deest.

*DE VETERI CONSUETUDINE PROMOTIONUM.

- 1. Aliquando fuit in Anglorum laga, quod populus et leges consilio regebantur, et tunc erant sapientes populi magni prorsus nominis et precii, comes et villanus, tainus et alii singuli, pro modo suo.
- 11. Et si villanus excrevisset, ut haberet plenarie v. hidas terre sue proprie, ecclesiam et coquinam, timpanarium et januam sedem, et sunder-notam in aula regis, deinceps erat taini lege dignus.
- III. Et si tainus ascendisset, ut serviret regi, et equitatus sui vice fungeretur in familia sua; si tunc habebat tainum, qui ministraret ei, qui ad utwaram regis v. hidas haberet, et in aula regis domino suo serviret, qui tercio venisset in nuntium ejus ad regem; iste poterat deinceps jurare pro domino suo, in magna necessitate, et accusatione ejus recte admallare, ubicunque opus esset.
- IIII. Et qui sic promotum hominem non habet, ipse causam suam superjuret, vel amittat.
- v. Et si tainus provehebatur ad consulatum, sit postea dignus rectitudine comitis et honore.
- vi. Et si massere ascenderet, ut ter mare magnum transfretaret ¹pro proprio negotio' suo, fuit deinde taini dignus rectitudine.
- VII. Et si scolaris profecisset in doctrina, cur ad sacerdotis ordines transiret, et Christo Domino ministraret, erat denique dignitatis et pacis dignus, quanta pertinebat super illud, nisi forisfaceret, cur ipsius ordinis officio non uteretur.
- vIII. Et si eveniret, ut ordinatus, vel alienigena *distraheretur alicubi, verbis vel opibus, tunc pertinebat regi et episcopo hoc emendare, quam citius possent.

1' per proprium negotium suum	<i>T</i> .	² disturbaretur	T.

^a Textus est ex T., cum Hk. et M. collato.

*LEGES ÆTHELSTANI.

T.

Ego Æbelstanus rex consilio Wlfelmi, archiepiscopi mei, et aliorum episcoporum meorum, mando prepositis meis omnibus in regno meo, et precipio, in nomine Domini et Sanctorum omnium, et super amiciciam meam, ut in primis reddant de meo proprio decimas Deo, tam in vivente captali quam mortuis frugibus terre; et episcopi mei similiter faciant de suo proprio, et aldermanni mei, et prepositi mei. Et volo, ut episcopi et prepositi mei hoc indicant omnibus qui eis parere debent, et hoc ad terminum expleant, quem eis ponimus, id est, decollatio Sancti Johannis Baptiste. Cogitemus quod Jacobus pater excelsus dixit Deo: 'Decimas et hostias pacificas offeram tibi.' Et Dominus dicit in Evangelio: 'Omni habenti dabitur, et Recolendum quoque nobis est, quam terribiliter habundabit.' in libris positum est, si decimam dare nolumus, ut auferantur nobis novem partes, et decima sola relinquatur. Et volo, ut ciricsceatta reddantur ad eum locum cui recte pertinent, et inde gaudeant in ipsis locis qui hec dignius erga Deum et nos volunt deservire. Hortatur nos sermo divinus, eterna cum terrenis, celestia cum caducis promereri. Nunc auditis quid Deo precipiam, et quid complere debeatis. Facite eciam ut michi mea propria cupiatis, que michi recte poteritis adquirere. Nolo ut aliquid michi injuste conquiratis, sed omnia vestra concedo vobis, eo tenore quo michi mea similiter exoptetis-Cavete simul et vobis et eis, quos admonere debetis, ab ira Dei et transgressione mea.

Ego Æbelstanus rex notifico prepositis meis omnibus in regno meo, quod consilio Wlfelmi, archiepiscopi mei, et omnium episcoporum meorum, et Dei ministrorum, ad remissionem peccatorum meorum, et adquisitionem vite eterne, volo, ut pascatis omni via pauperem unum Anglicum indigentem, si

^a Textus est ex Br., cum Hh. M. et T. collato.

sit ibi, vel alium inveniatis. De duabus meis firmis detur ei singulis mensibus ambra plena farine, et una perna, vel unus aries, qui valeat IIII. den. et casei IIII., et in tercia die Pasche xxx. den., ad vestitum xII. mensium unoquoque anno. Et liberetis unum wite theowne, i. e. forisfactum servum; et hoc totum peragatur in misericordia Dei, et amicicia mea, sub testimonio episcopi, in cujus episcopatu sit. Et si prepositus hoc superteneat, emendet xxx. soi, et dividatur hec pecunia, per testimonium episcopi, pauperibus qui in ipsa villa erunt ubi hoc non fuerit executum.

DE LATRONIBUS NON PARCENDIS.

I. Inprimis est, ut non parcatur alicui latroni, qui furtum habens in manibus capietur, super XII. annos et VIII. den. Si quis hoc presumat, persolvat ipsum furem, secundum weram suam, et non sit ipsi furi remissius in aliquo, vel ita se adlegiet. Si velit se desendere, vel ausugere, tunc ei postea non parcatur. Si fur ponatur in carcere, sit ibi XL. noctibus, et inde redimatur foras per cxx. sol, et eat cognatio ejus in plegium, quod deinceps se abstineat. Et si furetur postmodum, wera sua gildet eum, vel reddat similiter in carcerem: et si quis obstabit, persolvat se wera sua, sic regi, sic ei cui rectum erit. Et omnis qui coadunabit, emendet cxx. sol regis wite.

DE ACCUSATIS QUI DOMINOS NON HABENT.

11. Et diximus de illis, qui dominos non habent, de quibus rectum difficile conquiritur, aut nullum: precipiatur cognationi eorum, ut eos ad rectum adducat, et dominum eis inveniat in conventu publico; et si hoc efficere nolit, vel non possit ad terminum, sit ille forsbannitus deinceps, et capiat eum profure, qui consequetur. Qui eum postea firmabit, persolvat eum wera sua, vel sic neget.

DE DOMINIS MANUTENENTIBUS SUOS MALOS HOMINES.

III. Et dominus qui rectum difforciabit, et malum hominem suum manutenebit, ut regem oporteat inde requiri, captale suum repetenti restituat, et emendet regi cxx. sol. Et qui regem requisierit antequam sibi rectum postulet, quociens ad hoc pertinet, emendet ipsam witam, i. e. forisfacturam, quam aliis emendare debuerat, si justiciam difforciasset. Dominus

qui servo suo conscius in furando fuerit, convictus noxe servum illum perdat, et were sue reus sit prima vice. Si sepius hoc presumat, reus sit omnium que habebit. Et quicunque hordera regis, vel prepositus furi consentaneus erit, simili sententie subjacebit.

DE PRODICIONE DOMINI.

1111. Diximus de proditoribus dominorum suorum, ut sue ipsius vite culpabiles habeantur, si non poterit abnegari, vel in triplici ordalio noxa compareat.

DE INFRACTURIS ECCLESIARUM.

v. Et de infracturis ecclesiarum; si quis reus appareat in triplici ordalio, emendetur sicut judicialis liber dicit.

DE SORTILEGIS ET LIBLACIS.

vi. Decrevimus etiam de sortilegis, et liblacis, et mortem dantibus; si hominem occiderint, et negare non possint, vite sue culpa judicentur. Si pernegare velint, et in triplici ordalio culpabiles inveniantur, sint cxx. noctibus in carcere, et cognatio eorum educat eos, et emendetur regi cxx. soi, et occisum hominem reddant parentibus suis, et eant eis in plegium, quod super hiis abstineant in eternum.

Et blasigeras, et qui furem vindicaverint, sint ejusdem digni. Et qui furi vindex esse presumpserit, et tamen neminem plagiet, emendet regi cxx. sol pro ipsa conclamatione.

DE SIMPLICI ORDALIO.

vii. Diximus de simplici ordalio: Homo qui sepe fuerit accusatus, et reus appareat, et nesciat quis eum sumat in plegium, ponatur in carcere, et educatur inde, sicut predictum est.

DE ILLIS QUI TERRAM NON HABENT, ET IN ALIO COMITATU FAMULANTUR.

viii. Item ediximus: Si quis non habens terram serviat in alio comitatu, et ad cognatos suos quandoque redeat; qui eum in ipsa visitatione firmabit, eum ad jus publicum representet, si forisfaciat inibi, vel emendet pro eo.

DE ILLIS QUI PECUS INTERCIANT.

tx. Si homo pecus aliquod interciet, nominentur ei v. vicinorum suorum, et de illis quinque perquirat unum, qui cum
eo juret, quod in recto publico manum mittat ad propria;
et qui hoc propriare sibi voluerit, nominentur ei xi. homines,
et ex illis adquirat duos; et jurent quod illud pecus N. interciatum in peculio suo natum sit, sine rimab, et stet bes cyreab,
i. e. hoc jusjurandum electum, super xx. den.

NE CAMBIATUR SINE TESTIMONIO.

x. Diximus etiam, ut nemo cambiat aliquid sine testimonio prepositi, vel sacerdotis, vel hordarii, vel terre domini, vel alicujus veridici hominis. Si quis hoc faciat, emendet xx. sol, et manum mittat dominus ad eam cambitionem.

Si autem pernoscatur quod eorum aliquis in falso testimonio sit, ejus testimonium nunquam deinceps prestet aliquid, et eciam emendet xxx. sol, et habeat dominus illam cambitionem.

DE ILLIS QUI CULPAM EXIGUNT DE FURE OCCISO.

xI. Dictum est de illo qui culpam exigit pro fure occiso, ut eat se tercio, et duo sint de cognatione vel tribu patris, tercius de cognatione matris, et jurent quod in cognato suo nullum furtum erat, pro quo vite sue reus esset: et eant alii cum xII. et superjurent eum in contaminationem, sicut ante dicebatur. Quod si parentes mortui nolint illuc ire, condicto termino, emendet unusquisque cxx. soi, qui hoc superloquebatur.

DE EO, NE QUIS NEGOTIETUR EXTRA PORTUM.

xII. Et diximus, ne quis emat aliquid extra portum supra xx. den., sed in eo barganiet sub testimonio portireve, vel alius credibilis hominis, vel item in testimonio prepositorum in folcmoto.

QUO TERMINO BURGA DEBEANT REFICI.

XIII. Constituimus, ut omne burgum refectum sit XIIII. noctibus supra rogationes.

Et omne mercatum sit intra portum.

DE MONETARIIS.

XIIII. Placuit nobis, ut una moneta sit in toto regis imperio, et nullus monetet extra portum. Si monetarius reus fuerit, amputetur ei manus, et ponatur super monete fabricam. Si inculpatio sit, et se purgare velit, eat ad ferrum calidum, et adlegiet manum adcausatam, quod non falsum fecit. Si in ordalio reus fuerit, fiat ei quod supradictum est.

In Cantuaria sint vII. monetarii; regis IIII., episcopi II., abbatis I.

In Rouecestria III.; regis II., episcopi I.

In Londonia vIII.

In Wyntonia vi.

In Lewes 11.

In Hastingecestra 1.

In Circcestre 1.

In Hamtona 11.

In Warham 11.

In Dorchecestre L.

In Sceaftsburie 11.

In Exonia 11., et in aliis burgis.

DE SCUTA FACIENTIBUS.

xv. Et nullus scyldwirhta, id est scutum faciens, ponat pellem ovis in scuto. Si quis hoc faciat, emendet xxx. sof.

QUOT HOMINES VEL EQUOS HABEAT, QUI CARUCAM POSSIDET.

xvi. Et omnis homo habeat duos homines cum bonis equis, de omni caruca.

DE ILLIS QUI A FURE MUNERA SUSCIPIUNT.

xvII. Si quis a fure mercedem suscipiat, et rectum alicujus adnichilet, aut pervertat, were sue reus sit.

DE EQUO LOCANDO ULTRA MARE.

xvIII. Ne quis dimittat equum ultra mare, nisi velit eum dare.

DE SERVO QUI REUS EST AD ORDALIUM.

xix. Diximus de servo: Si reus sit in ordalio, reddatur captale simplex, et verberetur servus ille ter, vel secundam redditionem addat: et sit dimidia wita de servo.

DE SUPERSEDENTIBUS VENIRE AD GEMOTUM.

xx. Si quis gemotum, id est publicum comitium, adire supersederit ter, emendet overhyrnessam, id est subauditionem, regis, si placitum ipsum vii, diebus prenunciatum sit. eciam rectum facere nolit, nec overhyrnessam reddere, eant seniores homines omnes, qui ad eam curiam obediunt, capiant quicquid habet, et eum mittant per plegium. tunc nolit ire illuc cum sociis suis, emendet overhyrnessam Et educatur in placito, ut pacificetur quicquid rex pacificari velit; et omnis homo cesset a furto, pro vita sua. Et qui propter hoc abstinere noluerit, eant omnes majores natu, qui adjacent ipsi curie, et capiant quicquid habet, et manus injiciat rex ad dimidium, ipsi homines ad dimidium, qui in ipso itinere sint, et ponant eum sub fidejussoribus. plegium non habeat, idem capiatur. Si repugnet, occidatur, Si quis eum vindicare presumat, vel aliquem nisi aufugiat. perimat, sit inimicus regis et omnium amicorum ejus. aufugerit, et aliquis eum interim firmabit, were sue reus sit, nisi se possit idoneare, secundum ipsius profugi weram, quod eum nesciebat flyman, id est, fugitivum esse.

DE ILLIS QUI COMPONUNT PROPTER ORDALIUM.

XXI. Si quis pro ordalio componere velit, componat in captali quod poterit, non eciam in wita; si non ille permittat ad quem pertinebit.

NE QUIS RECIPIAT ALTERIUS HOMINEM SINE LICENTIA.

xxII. Et nemo recipiat alterius hominem, sine licentia ejus cui antea servivit. Si quis hoc faciat, reddat ipsum hominem, et regis overhyrnessam. Et nemo suum hominem accusatum dimittat, donec rectum per omnia fecerit.

DE ILLIS QUI VADIANT ORDALIUM.

xxIII. Si quis judicium ferri vel aque vadiaverit, accedat ante tribus noctibus ad presbiterum, qui sanctificare debebit eum, et pascat se pane et sale et aqua et herbis, et audiat missas ipsorum singulorum trium dierum; et offerat, et eat ad sacrosanctam communicationem, ipsa die qua ad ordalium examinari debebit; et juret, quod jure publico sit innocens illius accusationis, antequam ad ordalium veniat. Et si judi-

cium aque frigide sit, tunc inmergatur una ulna et dimidia in fune. Si ferrum calidum sit, tres noctes transeant antequam inquiratur, et videatur manus ejus. Et persequatur omnis homo compellationem suam prejuramento, sicut supradictum est. Et sint utrique jejuni, ex precepto Dei et archiepiscopi; et non sint in alterutra parte amplius quam in alia, et hoc sit utrobique xII. homines. Si autem accusatus homo majorem defensionem habeat quam xII. hominum, sit ipsum ordalium fractum in eo, nisi recedere velint ab illo.

DE ILLIS QUI PECUS EMUNT PER TESTIMONIUM.

xxIII. Qui aliquid emit, emat cum testibus; et si appellandum inde sit, recipiat hoc venditor suus a quo emit, sit liber sit servus, sit quod sit.

Et non fiat aliqua negociatio vel forensis actio die Dominica; si quis hoc presumat, perdat ipsum captale, et emendet overhyrnessam meam.

DE CONVICTO SUPER FALSO JURAMENTO.

xxv. Qui falsum juramentum jurabit, et convictus inde fuerit, nunquam postea juramento dignus sit, nec in sanctificato atrio aliquo jaceat, si moriatur; si non habebit episcopi testimonium, in cujus diocesi sit, quod penitentiam exceperit. Et presbiter hoc referat episcopo infra xxx. noctes, utrum ad emendationem et satisfaccionem venerit. Si non faciat hoc, componat, sicut episcopus ei concedit.

DE PREPOSITIS ET ALIIS QUI HOC NON OBSERVANT.

xxvi. Si quis prepositorum meorum hoc efficere nolit, vel minus inde curabit quam constituimus, emendet overhyrnessam meam, et ego inveniam michi alium qui velit. Et episcopus moneat overhyrnessam illam a preposito, in cujus hoc manitione sit. Qui de hac institutione recedet, emendet prima vice v. lib, alia vice weram suam, tercia vice perdat quicquid habet, et omnium nostrum amicitiam.

Totum hoc institutum est, et confirmatum in magna sinodo apud Greateleiam, cui archiepiscopus Wlfelmus interfuit, et omnes optimates et sapientes, quos Æpelstanus rex congregare potuit.

IV.

EPISTOLA ÆÐELSTANI AD OMNES SUBJECTOS.

DE MALEFACTORIBUS ET EOS FIRMANTIBUS.

Ego Æþelstanus rex notifico vobis, sicut innotuit michi, quod pax nostra pejus observata est quam michi placeat, vel apud Greateleiam fuerit institutum; et sapientes mei dicunt, quod hoc diutius pertuli quam debueram. Nunc inveni, cum illis sapientibus, qui apud Exoniam fuerunt mecum, in sancto Natali Domini, quod parati sunt omnino, quando velim, cum seipsis, et uxoribus, et pecunia, et omni re sua, ire quo tunc voluero, nisi malefactores conquiescant, eo tenore quo nunquam deinceps in patriam istam redeant. Et si unquam amplius inibi compareant, sint ita culpabiles sicut qui furtum in manibus habens capietur. Qui eos firmabit vel suorum aliquem, vel ad eos quenquam mittet, sui ipsius reus sit, et omnium que habebit. Et hoc igitur est, quod juramenta, et vadia, et plegia penitus superexcepta sunt, et infracta, que antea fuerant data, et nescimus alii rei credere, nisi hec sit.

DE EO QUI ALTERIUS HOMINEM INJUSTE SUSCEPERIT.

I. Et qui alterius hominem suscipiet, quem pro malefactis suis a se dimittat, et castigare non possit, reddat eum domino cui prius servivit, et regi cxx. s. Si tunc velit eum dominus diffacere, disrationet se, si possit, in conventu publico; et si culpa careat, perquirat sibi dominum quem velit in testimonio; quia concedo ut omnis qui innocens sit, serviat domino cui velit. Et prepositus qui hoc pervertet, et inde curare nolet, emendet regi suam overhyrnessam, si pernoscatur hoc in veritate, et si non possit rejicere. Et prepositus qui mercedem recipiet, et alicujus rectum propter hoc evertet, emendet overhyrnessam regis, et contumeliam habeat, sicut prediximus. Et si tainus sit, idem faciat.

Et nominentur in manunga singulorum prepositorum tot homines quot pernoscuntur esse credibiles, qui sint in testimonio singularum causarum. Et sint eorum juramenta credibilium hominum butan cyre, id est, sine eleccione.

SI PECUS INVESTIGETUR IN TERRA ALICUJUS.

11. Et si investigetur pecus in alicujus terram, educat terre dominus vestigium illud extra terram suam, si possit; si non possit, stet ipsum vestigium pro superjuramento, si aliquis compelletur ibi.

QUID OMNI DIE VENERIS PRO REGE ET POPULO SIT CANTANDUM.

III. Et decantetur omni die Veneris, in singulis ecclesiis, unum quinquagenarium psalmorum pro rege, et omni populo qui vult quod ipse.

* palmis et ix. add.?

Tam longe debet esse pax regis a porta sua ubi residens erit a 1111. partibus, hoc est tribus miliaribus, et tribus quarentenis, et tribus acris in latum, et 1x. pedibus, et 1x. granis ordei.

DE TRIPLICI JURAMENTO, VEL ORDALIO BLASERIORUM VEL MURDRITORUM.

Dictum est de blaseriis, et murdritoribus, ut augeatur juramentum hujus abnegationis tripliciter, et majoretur judiciale ferrum, ut appendat Lx. sol. Et adeat ipse homo compellatus; et sit in arbitrio compellantis ordalium aque vel igniti ferri, quod ei carius vel complacentius erit. Si jus-jurandum non direxerit et culpabilis sit, stet in seniorum hominum judicio, utrum vitam habeat aut non habeat, qui ad ipsam curiam pertinent.

DE FORFANG.

Forfang ubique, sit ab una scyra sit a pluribus, vi. d. fuit, et de omni parvo pecore semper pro solido denarius reddatur.

De forfang, id est preventione vel anticipatione, decrevimus, ut per totam Angliam idem judicium teneri debeat, hoc est, de homine xv. den et de equo similiter reddantur, sit ultra unum comitatum, sit ultra plures, ne impotens homo longe pro suo proprio fatigetur, et eciam nimium det. Aliquando fuit,

quod forfang dabatur secundum numerum comitatuum; sed antiquum rectum est, ut de omni furtivo pecore forfangum detur secundum precium æstimatum, id est, de unoquoque solido unus denarius, sit ejusmodi pecus quod sit, si de manibus latronum excutiatur; si vero aliter inveniatur occultatum, tunc potest forfangum esse minoris precii, quia minori fuit precio conquisitum.

DE ORDALIO.

De ordalio precipimus, in nomine Dei, et precepto archiepiscopi et omnium episcoporum, ne aliquis intret ecclesiam postquam ignis infertur unde judicium calefieri debet, preter presbiterum et eum qui ad judicium iturus est. Et sint mensurati ix. pedes a staca usque ad marcam, ad mensuram pedum ejus, qui ad judicium ire debet. Et si aque judicium sit, calefiat donec excitetur ad bullitum; et sit alfetum ferreum, vel eneum, vel plumbeum, vel de argilla. Et si anfeald tyhle sit, inmergatur manus post lapidem, vel examen, usque ad priste. Et si triplex accusatio sit, usque ad cubitum. quando judicium paratum erit, ingrediantur ex utraque parte duo homines, et certi sint, ut ita calidum sit sicut prediximus. Introeant totidem ex amba parte, et consistant ex utraque parte judicii, de longo ecclesie; et sint omnes jejuni, et ab uxoribus suis se contineant ipsa nocte; et aspergat presbiter aquam benedictam super eos omnes, et humilient se singuli ad aquam benedictam utraque parte, et det eis omnibus osculari textum Sancti Evangelii, et signum sancte crucis; et nemo faciat ignem diutius quam benedictio incipiat, sed jaceat ferrum super carbones, usque ad ultimam collectam; postea mittatur super staplas; et non sit illic alia locutio quam ut precentur sedulo Deum Patrem Omnipotentem, ut veritatem suam in eo manifestare dignetur. Et bibat accusatus aquam benedictam, et inde conspergatur manus ejus, qua judicium portare debet, et sic adeat. Novem pedes mensurati distinguantur inter terminos. In primo signo secus stacam teneat pedem suum dextrum; in secundo, sinistrum pedem; in tercium signum quando ferrum projiciet et ad sanctum altare festinet, et insigilletur manus ejus, et inquiratur die tercia, si munda vel inmunda sit, intra sigillacionem. Et qui leges istas

fregerit, sit ordalium, vel judicium, vel examen fractum in eo, reddat regi cxx. sol wite.

Wealreaf, i. e. mortuum refere, est opus nipingi; si quis hoc negare velit, faciat hoc cum xLvIII. taynis plene nobilibus.

V.

*JUDICIA CIVITATIS LONDONLÆ.

Hoc consultum est, quod episcopi et prepositi qui Lundoniensi curie pertinent edixerunt, et jurejurando confirmaverunt, in suo fripgildo, comites et villani, in adjectione judiciorum, que apud Greateleiam et Exoniam instituta sunt, et iterum apud Đunresfeldam.

ET EST IN PRIMIS,

- 1. Ut non parcatur alicui latroni supra xII. annos, et supra XII. d. de quo vere fuerit inquisitum, quod reus sit, et ad negationem aliquam non possit, quin occidatur, et capiatur omne quod habet. Et excipiatur inprimis captale repetentis de pecunia ipsius; et dividatur postea superplus in duas partes, unam partem habeat uxor ejus, si munda sit, et facinoris ejus conscia non fuerit; reliquum dividatur in duas partes, dimidium habeat rex, dimidium societas. Si sit bocland, vel biscopland, i.e. terra testamentalis vel episcopalis, tunc erit media pars terre domino cum societate communis.
- 11. Et qui furem occulte firmabit, et facinoris et sordis ejus conscius sit, fiat ei hoc idem.
- III. Et qui cum fure stabit et conpugnabit, cum fure de-
- mm. Et fur, qui sepe forisfactus erit aperte, et ad ordalium vadat, et reus appareat, occidatur, nisi tribus sua vel dominus velit eum redimere, secundum weram suam, et pleno ceapgildo, et plegiare, quod semper in reliquum cesset a malo. Et si postea furetur, reddat eum cognatio illa justiciabilem, sicut antea ab ordalio eum ceperit, preposito, qui ad hoc pertinebit, et occidatur. Si quis obstabit, et eum eripere velit reum in

^{*} Textus est ex T., cum Hk. M. et Br. collato.

ordalio quin occidatur, vite sue culpabilis sit; nisi regem requirat, et ei vitam perdonaverit, sicut apud Greateleiam, et Exoniam, et apud Đunresfeldam dictum est.

v. Et qui furem vindicare velit, et evocationem faciat, vel ad liberandum eum in via descendat, cxx. sol reus sit erga regem. Si hominem occidat in ea vindicta, de vita forisfactus sit, et de omnibus que habebit, nisi rex velit ei misereri.

SECUNDUM

Diximus, et unusquisque nostrum ponat unum denarium ad nostrum commune commodum, et persolvamus omne pecus quod captum est, postquam pecuniam nostram contulimus, et habeamus nobis omnes eam inquisitionem communiter, et conferat omnis homo denarium suum, qui habet pecus xxx. denarios valens, exceptis pauperibus viduis, que nullam in eo culpam habent, nec terram aliquam.

TERCIUM.

Ut computemus x. homines simul, et senior ex eis ix. conservet ad omnes impletiones eorum que diximus. Et postea ipsi hindeni obaudiant simul, et uni hindeno homini, qui illos x. homines commoneat ad nostrum omnium commune commodum, et ille undecimus custodiat ipsorum hindenorum pecuniam, et sciat quid ipsi mittent, quando gildare debebunt, et quid recipiant, si nobis pecunia surgat de nostra communi locutione; sciant etiam, ut omnis executio proveniat eorum que simul ediximus, ad nostrum omnium utilitatem, per xxx. d. vel unum animal hoc valens; ut hoc totum impleatur, quod in nostra consultatione dictum est, vel in nostra prelocutione stat.

QUARTUM,

Ut omnis homo alii sit coadjutor et investigando et coequitando, eorum qui bannum hoc audiant, quamdiu vestigium sciatur; et postquam vestigium deerit, inveniatur semper de duabus decimis unus homo, ubi magis populi sit; sic de una decima, ubi minus sit populi, ad equitandum vel eundum; nisi amplius oporteat, ubi majus necesse sit, et omnes elegerint.

QUINTUM.

Ne admittatur alia vestigatio, vel a septentrionali marca vel australi, priusquam omnis homo unam equitationem equitaverit, vol. II. KK qui equum habeat; et qui non habet, operetur domino, qui equitabit pro eo, vel pedes eat, donec ille domum redeat; si non possit antea consequi.

SEXTUM.

- 1. De nostro ceapgildo, i.e. de solvendo captali nostro, equus x. soi, si tam bonus sit. Si sit betre, i.e. melior, reddatur secundum precium appreciatum, et sicut ille comprobabit, cujus intererit; nisi testes habeant, quod tantum valens fuit, sicut dicit; et habeamus nobis superplus, quod ante constituimus.
 - 11. Et bos una manca, i.e. xxx. đ., et ovis v. đ. persolvatur.
- 111. Diximus de servis nostris eis, qui men habent; si furetur, solvatur x. sol. Si autem gildum erigamus, ut apprecietur super hoc, secundum precium suum, et habeamus nobis superplus, quod abhinc impetrabimus. Si denique furtum faciat, ducatur ad lapidandum, sicut ante dictum est. Et mittat omnis, qui hominem habet, sic denarium, sic obolum, secundum societatis admonitionem, sicut hoc valens colligi possit. Si aufugiat, persolvatur precio vultus sui, et omnes inquiramus inde. Si assequi possimus, fiat ei sicut de servo fure dictum est, vel suspendatur.
- IIII. Et ceapgildum assurgat semper super xxx. d. et ad x. s. postmodum demandabimus hoc in antea, si ceapgildum illis elevemus, pleno angildo; et sit inquisitio precedens, sicut predictum est, quamvis etiam minor sit.

SEPTIMUM

Diximus, faciat quicunque faciat, qui omnium nostrum molestiam vindicet, ut simus omnes unius amicicie vel inimicicie, sicut tunc eveniet; et qui furem ante alios homines dejiciet, sit de communi pecunia nostra melioratus per xII. d. pro incepto et effectu illo; et ipse cujus pecunia erit pro qua gildabimus, non dimittat inquisitionem istam, per nostram overhyrnessam et admonitionem cum ea, donec ad ejus gildum veniamus, et eam gratiemus pro labore suo de communi pecunia nostra, sicut dignum erit, ne forte remaneat ipsa minigunga.

OCTAVUM.

I. Ut conveniamus semper ad unum mensem, si possimus et licitum habeamus, per hindenos homines, et eos qui decimas custodiunt; sic cum buccellorum impletione, sic aliter, sicut poterimus; et sciamus quid edictorum nostrorum compleatur; et habeant ipsi x11. homines convictum suum simul, et pascant se, sicut deceat, et remanens dividant pro amore Dei.

II. Et si eveniat, ut aliqua tribus ad hoc magna sit et fortis, intra vel extra, twelhindi vel twihindi, ut rectum nostrum difforciet, ac furem defendat, adeamus omnes una cum preposito in cujus manitione sit.

III. Et etiam mittamus hinc et inde ad prepositos, et queramus ab eis auxilium de quot hominibus tunc videbitur competens, ut homo forisfactus magis timeat; et accedamus simul, et vindicemus molestiam nostram, et furem occidamus, et qui cum eo pugnabunt et stabunt; nisi discedant ab eo.

nn. Et si vestigium minetur de una scyra in aliam, excipiant hoc qui proximiores aderunt, et educant vestigium illud, vel indicetur preposito, et ipse postea suscipiat monitione sua, et minet vestigium illud extra schiram suam, si possit; si non possit, reddat ipsum pecus uno gildo, et habeant ambe prepositure placitum questionis hujus in communi, sit alterutrum sit, sic a septentrionali marca, sic ab australi, semper de schira in schiram omnis prepositus adjuvet alium, ad pacem omnium nostrum, per regis overhyrnessam.

v. Et item omnis homo alium adjuvet, sicut dictum est, et vadio confirmatum; et qui hoc ultra marcam dimittet, xxx. đ. reus sit, vel unius bovis, si aliquid eorum superhabeat, que in scripto nostro stant, et vaditione nostra confirmavimus.

vi. Et diximus etiam omnibus hominibus illis, qui in nostram gildscipam vadium dedit, si contingat ei mori, omnis congildo det unum panem et companagium pro anima ejus, et cantet unum quinquagenarium psalmorum, vel perquirat cantandum, infra xxx. noctes.

vii. Precipimus etiam hiremannis nostris, ut omnis homo sciat quando pecus suum habeat, et quando non habeat, in testimonio vicinorum suorum, et nobis monstret vestigium, si non possit invenire, infra tres noctes; quia credimus plures idiote non curant quomodo peculium suum agant et superfidunt in pace nostra.

viii. Unde precipimus, ut ipse infra tres noctes vicinis suis indicet, si persolutionem velit habere, et sit tamen inquisitio procedens, sicut ante dictum est; quia nolumus aliquod pecus incustoditum, et per inobservantiam perditum reddere, nisi quod furtivum est; quia multi confingunt fraudulentes locu-

tiones. Si vestigium nesciat ad monstrandum, ¹juramento annunciet cum' tribus vicinis suis, quod infra tres noctes ei furatum sit; et exigat postea suum ceapgildum.

rx. Nec tacendum est nec pretereundum, si dominus noster vel prepositorum nostrorum aliquis ullum augmentum excogitare possit ad nostrum friþgildum, ut hoc gratanter excipiamus, sicut nobis omnibus convenit, et nostrum necesse sit. Et in Deo confidimus et regni nostri domino, si totum hoc ita complere volumus, res tocius populi meliorabitur contra fures quam antea fuit. Et si remissius egerimus de pace et vadiis que simul dedimus, et quam rex nobis precepit, timere possumus vel magis scire, quod fures isti regnabunt, plusquam ante fecerint. ² Sed fidem teneamus et pacem, sicut domino nostro placeat; quia magnum nobis opus est, ut insistamus et peragamus quod ipse velit; et si amplius precipiat, cum omni jocunditate et devotione parati sumus.

NONUM

Diximus de illis latronibus, qui in hredige nequeunt culpabiles inveniri, et postmodum inquiritur quod rei sunt et inmundi; dominus vel parentes eorum sic educant eos, quomodo educitur qui in ordalio contaminatus invenitur.

DECIMUM,

Quod sapientes omnes dederunt vadium suum insimul archiepiscopo apud Đunresfeldam, quando Ælpheagus ³ Styb, et Brithnotus, Odonis filius, venerunt ad concilium ex ore regis, ut omnis prepositus vadium capiat in suo comitatu de pace servanda, sicut Æþelstanus rex apud Fefresham, et quarta vice apud Đunresfeldam, coram archiepiscopo, et episcopis, et sapientibus, quos ipse rex nominavit, qui interfuerunt, ut judicia conservarentur, que in hoc concilio fuerant instituta; preter hoc quod ante fuit exceptum, i. e. negociatio Dominice diei, et quod, pleno testimonio et credibili, possit emi extra portum.

UNDECIMUM.

Quod Æþelstanus rex precepit episcopis suis et prepositis omnibus, in toto regno suo, ut pacem ita custodiant, sicut reci-

^{1&#}x27; vicum Hk. M. Br.

³ Scyb T.

tavit, et sapientes sui. Si aliquis supersedeat, et non obtemperet, ut hoc vadium ab hiremannis, vel a subditis suis capere nolit, et patiatur occultas acciones, et de justitia non procurabit, sicut precepimus, et scriptis instituimus, perdat prepositus preposituram suam et amiciciam meam, et emendet regi cxx. sol; et dimidium hoc, omnis baro meus vel taynus, qui terrarius sit, et justiciam servare noluerit, sicut institui.

DUODECIMUM,

- 1. Quod rex dixit nunc iterum apud Witlanbirig sapientibus suis, et precepit ostendi archiepiscopo, et ceteris episcopis, quod ei miserabile videtur, quod aliquis tam juvenis occidatur, vel pro tam parva re, sicut innotuit ei quod ubique fiebat. Dixit itaque, quod ei videbatur, et eis cum quibus hoc egerat, ne aliquis occidatur junior quam quindecim annorum, nisi se defendere velit, vel aufugere, et in manus ire nolit, ut tunc deducatur, sicut majori sic in minori, ¹ qualecumque sit. Si se dederit, ponatur in carcere, sicut apud Greateleiam dictum est, et per idem redimatur.
- 11. Vel si *veniat in carcerem, et hominem non habeat, qui * non add.? sumat eum in plegium, plena wera sua, quod omnis mali deinceps abstineat. Si cognatio sua nolit eum educere, nec ei transire in fidejussionem, tunc juret, sicut episcopus docebit eum, quod ab omni malo cessabit in reliquum, et sit in servitute pro wera sua.

111. Precepit etiam rex, ne aliquis occidatur pro minori precio quam x11. d. valens, nisi fugiat vel repugnet, ne dubitetur tunc, licet minus sit. Si hec ita conservemus, in Domino Deo confidimus, quod pax nostra melior erit quam antea fuit.

¹ qualiscunque Br.

LEGES REGIS EADMUNDI.

ECCLESIASTICE.

Eadmundus rex congregavit magnam sinodum Dei ordinis et seculi apud Lundonie civitatem, in sancto Pasche solenni, cui interfuit Oda et Wulstanus archiepiscopi, et alii plures episcopi, perquirentes de consilio animarum nostrarum, et eorum qui subditi sunt illis.

DE CASTITATE ORDINATORUM.

I. Inprimis est vero, ut sanctis ordinibus evecti, qui plebem Dei docere debent lumen vite, castitatem teneant, secundum ordinem suum, sic perhades sic pifhades, sit alterutrum sit. Alioquin sint ejus digni quod in canone dictum est, hoc est, ut perdant secularem pecuniam, et sanctificatum legerstopa, i. e. positionis loca; si non convertantur et emendent.

DE DECIMIS ET ALIIS DEBITIS ECCLESIE.

11. Decimam precipimus omni Christiano, super Christianitatem suam, et emendent cyricsceatum, i. e. ecclesie censum, et elmesfech, i. e. elemosine pecuniam. Si quis hoc dare nolit, excommunicatus sit.

DE HOMICIDIO.

III. Si quis sceleratis manibus effundat sanguinem Christianum, non appareat in conspectu regis, priusquam emendationem ineat, sicut episcopus docebit, et penitentiam consulet.

DE FORNICATIONE CUM NUNNA, VEL SANCTIMONIALI, ET DE ADULTERIO.

1111. Qui cum nunna vel sanctimoniali fornicabitur, sancti-

^{*} Textus est ex Hk., cum M. T. et Br. collato.

ficato atrio sit indignus; nisi emendet sicut homicida. Sic idem diximus de epbrice, i. e. adulterio vel infracto conjugio.

DE APPARITIONE ECCLESIARUM.

v. Amplius diximus, ut omnis episcopus reficiat Dei domos in suo proprio, et regem admoneat, ut omnes ecclesie Dei sint bene parate, sicut magnum nobis opus est.

DE PERJURIO ET LIBLACO.

vi. Qui falsum jurabunt, vel liblacum facient, sint in eternum a Dei consortio segregati, nisi ad dignam satisfaccionem per omnia revertantur.

SECULARES.

Ego Eadmundus rex mando, et precipio omni populo, seniorum ac juniorum, qui in regimine meo sunt, quod investigans investigavi, cum sapientibus clericis et laicis. Inprimis: quomodo possem Christianitatem magis erigere. Et magnum nobis necesse visum est, ut amicitiam nostram et boni diligentiam teneamus inter nos, in toto regno meo. Et mihi valde displicent, et nobis omnibus, multiplices et injuste pugne, que inter nos ipsos fuerint; unde diximus:

- I. Si quis posthac hominem occidat, ipse sibi portet inimicitie faccionem; nisi amicorum suorum auxilio, intra unum annum, persolvat eum pleno weregildo, sit natus sicut sit. Si eum cognatio sua deserat, et pro eo gildare nolit, tunc volo, ut omnis tribus vel cognatio illa sit extra faccionem, preter solum malefactorem; si deinceps ei nec victum det nec pacem. Si quisquam cognationis sue firmet eum postea, reus sit omnium que habebit erga regem, et portet faidiam erga contribules mortui; quia primitus reprobaverat eum. Si ex mortui cognatione quis vindictam perpetret in aliquem alium, preter ipsum malefactorem, sit inimicus regis et omnium amicorum ejus, et perdat totum quicquid habet.
- 11. Si quis ecclesiam requirat, vel burgum meum, et ibi assaliatur vel affligatur; qui hoc fecerint, sint ejusdem culpabiles quod supra dictum est.

- III. Et nolo ut aliqua fihtepita vel manbota condonetur.
- IIII. Amplius indico, quod qui sanguinem fundet humanum, nolo socnam habere in familia mea, antequam divinam emendationem susceperit, et ad omne rectum inclinetur, sicut episcopus docebit, in cujus scira fuerit.
- v. Et jam gratias ago Deo, et vobis omnibus, qui bene juvatis me de pace, quam pro furtis nuper instituimus; et ideo confido, quod adjuvare velitis ad eam tanto melius, quanto magis opus est nobis ut conservata sit.
- vi. Item diximus de mundbryce et hamsocna; qui deinceps hec egerit, perdat omne quod habebit, et sit in arbitrio regis an vitam habeat.
- vii. Sapientum est sedare faccionem. Inprimis, juxta populi lagam, debet prolocutor occisoris in manum dare cognationi, quod rectum ei per omnia faciet. Deinde oportet, ut prolocutori detur in manum, quod interfector audeat accedere cum pace, et ipse weram vadiare. Et quando vadiaverit eam, inveniat were plegios. Postquam hoc factum erit, erigatur inter eos pax regis: ab illa die in vicesimum primum diem reddatur halsfangium; inde ad vicesimum primum diem manbota; inde ad vicesimum primum diem reddatur ipsius were frungildum.

DE SPONSALIBUS CONTRAHENDIS TEMPORE REGIS EADMUNDI.

- 1. Si quis virginem vel viduam ducere velit, et hoc illi placeat, et amicis suis; tunc rectum est, ut bridguma, per Dei justitiam et seculi jus, competens in primis promittat et vadiet eis qui paranimphi sunt, quod eo modo querat eam, ut secundum Dei rectum pertinere velit, sicut sponsus debet legitimam sponsam: et plegient hoc amici sui.
- II. Postea sciendum est cui foster leanum pertineat: vadiet hoc bridguma, et plegient amici sui.
- 111. Postea dicat bridguma, i. e. sponsus, quid ei dare disponat, cur ejus eligat voluntatem, et quid ei destinet, si supervixerit ipsum.

- IV. Si sic quoque conveniat, rectum est, ut dimidiam pecuniam habeat, et totam, si simul puerum habuerint; nisi deinceps virum capiat.
 - v. Totum hoc vadio confirmetur, et amici sui plegient.
- vi. Si tunc in omni re concordent, adeat cognatio, et despondeat eam to wive and to riht live, i. e. in uxorem et rectam vitam, et excipiat inde plegium, qui jus habet in vadio.
- vii. Sed si de ipsa terre velit eam ducere, in terram alterius tayni, consilium est, ut amici habeant pactionem, ne quis ei faciat injuriam; et si illa forisfaciat, ut possint esse propinquiores emendationi; si non habeat unde componat.
- viii. Huic dationi debet interesse presbiter, qui cum Dei benedictione debet eorum consortium adunare in omnem sanctitatem.
- IX. Bonum est etiam previdere, ne ex aliqua consanguinitate sibi pertineant; ne juste postmodum separentur, qui sceleratis nupciis convenerunt.

LEGES REGIS EADGARI.

• HOC EST JUDICIUM QUALITER HUNDRETUM TENERI DEBEAT.

- 1. Inprimis, ut conveniant semper ad 1111. ebdomadas, et faciat omnis homo rectum alii.
- 11. Si necesse sit in manibus, indicetur hominibus hundreti, et ipsi postea denuncient hominibus decimarum; et eant omnes pariter quo Deus annuerit ut invenire possint; et faciant furi rectum suum, sicut prius Eadmundi regis fuit institutum. Et reddatur ceapgildum ei cujus pecus est, et reliquum in duo dividatur, dimidium hundreto, dimidium domino, preter homines; et habeat eos dominus suus.
- III. Si quis supersedeat, et hundreti judicium reprobet, ut in eum denique recitetur; det hundreto xxx. d, et secunda vice Lx. d, dimidium hundreto, dimidium domino. Si tercio quis faciat, det x. sol: ad quartam vicem, perdat omne quod habet, et sit utlaga, id est exul vel exlex, nisi rex ei patriam concedat.
- 1111. Diximus de ignotis pecoribus, ut nemo habeat sine testimonio hominis hundreti, vel hominum decimalium, et sit hoc bene credibile; et nisi alterutrum habeat, nolumus ei permittere cenningam aliquam.
- v. Amplius diximus: si hundretum minet vestigium in aliud hundretum, ut notificetur homini ipsius hundreti, et idem cum eo vadat; si hoc pretermittat, emendet regi xxx. sol.
- vi. Si quis rectum declinet vel aufugiat, persolvat angildum, qui eum tenuit ad damnum illud. Et si compellabitur, quod eum emiserit, adlegiet se, sicut in terra lex est.

^a Textus est ex Hk., cum M. T. et Br. collato.

vii. In hundreto, sicut in omni placito, volumus, ut rectum et jus publicum judicetur in omni causa, et adterminetur quando hoc impleatur. Et qui terminum illum infregerit, nisi sit pro banno domini, vel infirmitate monstrabili, xxx. sol emendet, et ad constitutum diem faciat quod ante debuerat.

viii. Pecoris ¹tintinnum, et canis hoppa, et blauhornum, horum trium singulum est unum solidum valens, et unum-quodque reputatur melda, id est manifestatio.

ix. Ferrum quod facit ad triplex ordalium debet ponderare Lx. sof.

T.

* Hoc est institutum quod Eadgarus rex, consilio sapientum suorum, instituit, Deo ad gloriam, et sibi ad regiam dignitatem, et genti sue ad commodum.

DE DEBITIS SUIS ECCLESIE REDDENDIS.

1. Primum est, ut ecclesie Dei recti sui digne sint, et reddatur omnis decimatio ad matrem ecclesiam, cui parochia adjacet, de terra taynorum et villanorum, sicut aratrum peragrabit.

SI TAINUS HABET ECCLESIAM UBI SIT CEMETERIUM, VEL NON — DE CYRICSCEATTIS.

11. Si quis taynorum sit, qui in feudo suo ecclesiam habeat, ubi cemeterium sit, det ei terciam partem decime sue. Si non sit ibi atrium, det, ex suis novem partibus, presbitero quod vult; et eat omne cyricsceatum ad matrem ecclesiam de omni libera domo.

DE TERMINO DECIMANDI.

111. Et omnis decimatio juventutis reddita sit ad Pentecosten, et terre frugum ad equinoccium, et omne cyrisceatum ad festum Sancti Martini, per plenam forisfacturam, quam

¹ MSS. ticinnum et titinnum.

Textus est ex Hk., cum M. T. et Br. collato.

judicialis liber docet. Si quis decimam dare nolit, sicut diximus, adeat prepositus regis, et episcopi, et sacerdos illius ecclesie, et reddant ecclesie, cui pertinebit, decimam suam, et nonam partem dimittant ei, qui decimam suam detinuit: et octo partes in duo dividantur, dimidium domino, dimidium episcopo, sit homo regis, sit homo tayni.

DE NOLENTE DECIMAS DARE.

mi. Et omnis heoro-peni reddatur ad festum Sancti Petri, et qui non persolverit ad terminum illum, deferat eum Romam, et eciam xxx. d, et afferat inde significationem, quod tantum ibi reddidit; et cum redierit domum, emendet cxx. sol. Et si iterum reddere nolit, deferat eum Romam iterum, et eandem emendationem, et cum redierit, emendet cc. sol regi. Ad terciam vicem, si adhuc non reddiderit, perdat totum quod habebit.

DE SOLENNITATIBUS ET JEJUNIIS OBSERVANDIS.

v. Et sollenne diei Dominice conservetur, ab hora nona Sabbati usque ad lucidum diei Lune, super forisfactura, quam liber judiciorum docet; et omnis alia festivitas, sicut a sacerdote nunciabitur; et omne indictum jejunium cum omni devotione servetur.

II.

INSTITUTIO SECULARIS.

1. Hæc est institutio secularis, quam volo per omnia teneri. Volo ut omnis homo sit dignus juris publici, pauper et dives, quicunque sit, et eis justa judicia judicentur; et sit in emendationibus remissio venialis apud Deum, et apud seculum tolerabilis.

NE QUIS REGEM REQUIRAT, NISI RECTUM EI NEGETUR; ET DE FORISFACTURA.

11. Et nemo requirat regem, pro aliqua causa, nisi domi negetur ei omne dignum recti, vel rectum impetrare non possit. Si rectum grave nimis est, postea querat inde veniam apud regem: et de nulla emendabili re forisfaciat homo plusquam weram suam.

DE JUDICIBUS INJUSTE JUDICANTIBUS.

III. Et judex, qui injustum judicium judicabit alicui, det regi cxx. sol; nisi jurare audeat, quod rectius nescivit: et admanniat scyre presul emendam illam ad manum regis.

SI QUIS ALIUM SUPERDICERE PRESUMPSERIT.

1111. Et qui aliquem injuste superdicere presumat, unde vita vel commodo pejor sit, lingue sue reus erit, si accusatus se idoneare, et accusationem falsare poterit; nisi redimat se wera sua.

DE HUNDRETO, ET BURGHMOTO, ET SCYREMOTO.

v. Et requiratur hundretum, sicut antea fuit institutum: et habeatur in anno burgmotus ter, et scyremotus bis; et intersit presul comitatus et aldremannus, et utrique doceant Dei rectum et seculi.

DE PLEGIO ET PLEGIATO.

vi. Et omnis homo inveniat sibi plegium, et idem custodiat et ducat eum ad omne rectum; et si quis injuriam faciat et aufugiat, portet plegius quod ille portare debuerat. Si latro plegiatus aufugiat, et plegius infra xii. menses possit eum rehabere, reddat eum ad rectum, et rehabeat quicquid ante propter hoc dederat.

DE INCREDIBILI ET EI PARCENTI.

vii. Et qui fuerit accusationibus infamatus, et populo incredibilis, et hec placita declinaverit, videatur de placito qui mittantur ad eum, et inveniat etiam sibi tunc fidejussores, si possit; si non possit, exsuperetur quibus modis poterit, sic vivus sic mortuus, et capiatur omne quod habebit, et reddatur repetenti captale suum semel, et reliquum habeat dominus dimidium, hundretus dimidium. Et si aliquis, vel cognatus vel extraneus, illuc ire negaverit, emendet regi cxx. sol: et querat fur quicquid querat, vel qui de morte domini sui cogitaverit, nunquam sibi vitam perquirat.

DE MONETA, ET MENSURA, ET PONDERE.

viii. Et sit una moneta per totum regis imperium, et nemo sonet eam; et mensura, sicut apud Wincestriam habetur. Et eat pondus lane pro dimidia libra, et nemo carius vendat eam.

• INSTITUTIONES

ÆTHELREDI REGIS.

T.

Hoc est consilium quod Æpelredus rex et sapientes sui condixerunt, ad emendationem et augmentum pacis, omni populo, apud Wudestocam in Mircena lande, id est, in terra Mircenorum, post Anglie lagam; hoc est:

DE ACCUSATO ET EJUS PLEGIO, VEL DOMINO; ET UT OMNIS DOMINUS FAMILIAM SUAM IN PLEGIO HABEAT.

1. Ut omnis liber homo habeat credibilem plegium, qui eum ad omne rectum presentet, si fuerit accusatus. bysig sit, id est accusationibus infamatus, ad triplex ordalium vadat. Si dominus ejus dicat, quod neutrum ei fregit, vel ab vel ordel, postquam consilium fuit apud Brundonam, assumat idem dominus sibi duos credibiles taynos in ipso hundreto, et juret, quod nunquam jusjurandum fregit, nec furigildum persolvit; nisi talem prepositum habeat qui dignior eo sit, ut hoc facere possit. Si jusjurandum procedat, eligat accusatus quod horum voluerit, vel simplex ordalium, vel jusjurandum unius libre, in tribus hundretis, super xxx. denarios. Si jurare pro eo non audeant, vadat ad triplex ordalium. Et si culpabilis erit, in prima vice reddat compellatori duplo quod repetit, et domino suo weram suam, et mittat credibiles plegios, quod omnis mali deinceps se abstineat. Ad secundam vicem, non sit alia emendatio nisi caput. Si aufugiat et ordalium vitet, reddat plegius ejus captale suum repetenti, et domino weram suam, qui ea dignus sit. Et si dominus ejus accusetur, quod consilio suo fugerit, et antea malum fecerit, assumat secum v. taynos, et idem sit sextus, et ladiet se. Et si lada procedat,

^a Textus est ex T., cum Hk. M. et Br. collato.

sit were sue dignus. Si non procedat, habeat rex weram, et sit ipse fur utlagatus apud omnem populum. Et habeat omnis dominus familiam suam in plegio suo. Sin autem accusetur aliquis, et aufugiat, emendet dominus regi weram hominis accusati. Et si dominus accusetur, quod consilio suo fugerit, ladiet se cum v. taynis, et idem sit sextus. Si lada frangat ei, reddat regi weram suam; et sit homo forsbannitus apud omnes.

Et habeat rex forisfacturas omnium eorum qui liberas terras habent; nec componat aliquis pro ulla tyhtla, si non intersit testimonium prepositi regis.

DE SERVIS QUI CULPABILES IN ORDALIO APPARENT.

11. Et si servus culpabilis appareat in ordalio, signetur in prima vice; ad secundam vicem non sit illic alia emendatio quam capitalis.

QUI EMERIT ET CAMBIAVERIT SINE PLEGIO ET TESTIBUS.

III. Et nemo alterutrum faciat, vel emat, vel cambiet, nisi plegium habeat et testes: si quis hoc presumat, capiat illud terre dominus, et custodiat pecus illud, donec sciatur cujus sit secundum rectum.

DE EO QUI HIIS INSTITUTIS NON CONSENSERIT.

III. Et si aliquis hominum sit, qui omni populo sit incredibilis, adeat prepositus regis, et mittat eum sub plegio, ut ad rectum perducatur eis, qui compellabunt eum. Si tunc plegium non habeat, occidatur, et cum dampnatis inhumetur. Si quis eum disforciet, sint ambo unius recti digni. Et qui supersederit, et parvipendet, vel complere nolet, sicut omnium nostrum est institutum, emendet regi cxx. solidos.

II.

Hec sunt verba pacis, et prolocutiones, quas Æpelredus rex, et omnes sapientes ejus cum excercitu firmaverunt, qui cum Analavo et Justino, et Guŏmundo, Stegitaini filio venit.

DE PACE.

I. Hoc inprimis, ut pax mundi stet inter Æþelredum regem, et omnem populum ejus, et omnem exercitum, cui rex pecuniam suam dedit, post elocutiones, quas Sigericus archiepiscopus, et Æþelredus aldremannus, et Ealfricus aldremannus fecerunt, postquam impetraverunt a rege, quod possent illi parciuncule pacem emere, quam sub manu regis superhabebant. Si navalis exercitus Angliam infestet, ut habeamus omnium eorum auxilium; et ministrabimus eis victum, quamdiu nobiscum erunt. Et omnis terra, que aliquem eorum manuteneat, qui Angliam inquietant, sit exlex apud nos et omnem exercitum.

DE NAVE ADVENE INSTITORIS, SI IN PORTUM VENERIT.

11. Et omnis ceapscip, i.e. navis institoris, pacem habeat, que in portum veniet, licet navis sit inimicorum, si non sit abacta tempestatibus. Et licet abacta sit, et applicetur ad aliquam curiam pacis, et homines evadant in ipsam curiam, pacem habeant, et quod attulerint secum.

DE FRIÐMANNO REGIS.

aquis, et intra portum et extra. Si regis Æbelredi friðmannus veniat in unfriðland, i. e. in hostilem terram, et exercitus adveniat, pacem habeat navis ejus et omnis pecunia ejus. Si navem suam extraxerit, vel tuguriolum congerat, vel papilionem tendat, habeat inibi pacem, et tota pecunia sua. Si pecuniam suam inter pecuniam unfriðmannorum, i. e. pacem non habentium, in domo mittat, perdat pecuniam suam, et ipse tamen pacem habeat, et vitam, si se manifestat. Si friðman, i. e. homo pacis, fugiat vel repugnet, et se nolit indicare, si occidatur, jaceat ungeld, i. e. insolutus.

DE ROBATO IN NAVE.

1111. Si homo sit de pecunia sua robatus, et sciat in qua navi, reddat steoresman, i.e. gubernator, pecuniam illam, vel cum 1111. juret, et idem sit quintus, quod per rectitudinem cepit, sicut antea prolocutum erat.

SI ANGLICUS LIBER DACUM LIBERUM OCCIDAT, VEL E CONVERSO.

v. Si Anglicus homo Dacum occidat, liber liberum, persolvat eum xxv. lib, vel ipse malefactor reddatur; et tantum dabit Dacus de Anglico, si eum occidat. Si Anglicus Dacum servum occidat, reddat eum xx. s.; et Dacus similiter Anglicum reddat, si occidat eum. Si Eahta men occidantur, pertineat infractio pacis intra curiam vel adjacentias ejus. Eahta men persolvantur plena wera.

DE INFRACCIONE PACIS INFRA BURGUM REGIS.

vi. Si intra burgum regis fiat infraccio pacis, adeant burgenses, et conquirant illum malefactorem, vivum vel mortuum, proxima cognatio ejus, caput pro capite. Si nolint, adeat aldremannus: si nolit, rex: si nolit, sit pars illa preter pacem.

De omni homicidio, et omni robaria, et omnibus incendiis, que facta sunt antequam pax fuerat instituta, totum dimittatur, et nemo vindictam, vel emendationem exigat. Et ut nec ipsi neque nos alterius servum vel inimicum receptemus.

DE COMPATRIOTA FURTI VEL HOMICIDII ACCUSATO; ET SI HOMO SCEIÐMANNI PECUNIAM NOSTRAM OCCIDERIT.

vii. Si dicatur in compatriota, quod furtum fecerit, vel hominem occiderit, et hoc dicat unus sceibmannus, et unus landesmannus, tunc non sit aliqua negatione dignus. Et si homines eorum occidant pecuniam nostram, utlage sint apud nos et illos, et non admittantur ad emendationem. Viginti duo milia librarum auri et argenti data fuerunt exercitui de Anglia pro pace.

SI RES AMISSA DEPREHENDATUR.

vIII. Si quis deprehendat quod amisit, advocet inde ille, cum quo deprehenditur, unde venerit ei, et mittat in manum, et det plegium, quod adducet advocatum suum. Si viventem warantem vocet, et sit in alia scira quem vocat, terminum habeat, qui ad hoc pertinet. Mittat in manum venditoris, qui vendidit ei, et roget ut mundificet et acquietet eum, si possit. Si recipiat, tunc acquietat eum, cum quo fuerat deprehensum. Appellet deinceps unde venerit ei. Si advocet ultra unam sciram, habeat terminum, i. e. ebdomadam: si advocet ultra duas sciras, habeat duas septimanas de termino. Et ad quot sciras cennabit, totidem habeat septimanas de termino; et veniat ubi primitus fuit interciatus.

DE ADVOCATIONE ET TERMINO GUARANDI INVENIENDI.

1x. Aliquando fuit, quod ter advocandum erat ubi prius aliquid interciabatur, et deinceps eundum cum advocante, quocunque advocaret. Unde consuluerunt sapientes, quod melius erat, ut saltem advocaretur ubi deprehendebatur, donec innotesceret in quo stare vellet; ne forte impotens homo longius et diutius pro suo laboraret, et ut vexetur magis qui injuste conquisitum habeat in manibus, et minus qui juste prosequitur. Admoneat eciam eum ille, qui suum prosequitur, ut ad singulas appellationes habeat credibile testimonium, et caveat ne injuste interciet; ne per hoc disturbetur, sicut alium disturbare cogitaverat. Si mortuum hominem advocet, si non habeat heredes, aui purgent eum, manifestet hoc cum testibus, si possit, quod recte advocet, aut id per se purget. Tunc erit mortuus in culpa, nisi amicos habeat, qui eum mundificent, sicut idem faceret, si posset et viveret. Si tunc amicos habeat, qui audeant hoc facere, tunc deficit advocatio, sicut si ille viveret ac negaret. Et habeatur furti reus ille qui in manibus habet; quia semper est negatio fortior quam affirmatio. Etiam inter advocandum, si quis hoc incipiat, nec ultra advocet, si propriare sibi velit, non potest hoc ei jure denegari, si credibile testimonium locum ei faciat accedendi; quia propriatio propinquior semper est possidenti quam repetenti.

III.

- Hæ sunt leges, quas Æbelredus rex et sapientes sui constituerunt apud Wanetingum, ad emendationem pacis, et felicitatis incrementum.
- I. Id est, ut pax ejus firma sit, sicut prius exstitit in diebus antecessorum suorum, et preter emendationem sit infractio pacis, quam per manum suam dabit; et pax quam aldermannus, vel prepositus regis, in v. burgorum gepincoa dabit, emendetur xII. libris; et pax que dabitur in unius burgi pincoa, emendetur vII. hundretis; et ubi dabitur in wapentako, emendetur infracta pax I. hundreto; et pax que dabitur in ealahus, emendetur de homine occiso vI. dimidiis marcis, de vivo xII. oris.
 - 11. Et hoc quod per legitimum testimonium monstrabitur, nemo pervertat, de vivo plusquam de mortuo. Et eat omnis homo ad testificandum illud, unde possit, et velit, et audeat in sanctuarium jurare, quod ei dabitur in manibus.
 - nn. Et landcopum, et domini donum, quod per rectum habeat dari, et lahcopum, et witword, et gewitnessam, hoc ita permaneat ut nullus evertat. Et habeantur placita in singulis wapentakis; et exeant seniores xii. tayni, et prepositus cum eis, et jurent super sanctuarium, quod eis dabitur in manus, quod neminem innocentem velint accusare, vel noxium concelare. Et capiantur accusati, qui cum preposito causam habent, et omnis eorum det vi. dimidias marcas vadii, dimidium domino ipsius terre, dimidium wapentako. Et omnis emat sibi lagam xii. oris, dimidium landesrico, dimidium wapentako. Et omnis infamatus homo vadat ad triplex ordalium, vel reddat quadruplum.
 - 1111. Si dominus tunc velit eum purgare, cum duobus bonis taynis, quod nunquæm furigildum reddidit, postquam consilium fuit apud Brundonam, nec accusatus fuerit, vadat ad triplex ordalium, vel persolvat triplum. Si tunc sit inmundus, percutiatur, ut collum ei frangatur. Et si vitet ordalium, reddat semel captale suum repetenti, et terre domino xx. oras, et eat

rursus ad ordalium; et si agenfria venire nolit ad ordalium videndum, reddat viginti oras, et perdat placitum suum; et ille tamen eat landesrico, id est, terre domino, ad ordalium, vel reddat duplum.

- v. Et si quis habeat pecus sine plegio, et dominus tunc hoc percipiat, reddat ipsum pecus et emendet xx. oris.
- vi. Et omnis 'accusator, vel qui alium impetit, habeat optionem quid velit, sive judicium aque vel ferri. Et omnis advocatio, et omne ordalium sit in curia regis; et si fugiet ab ordalio, reddat eum plegius wera sua.
- vII. Et si quis furem innoxiare velit, unum hundretum in vadio ponat, dimidium tunc domino, dimidium preposito regis intra portum, et adeat triplex ordalium. Si mundus sit in ordalio, diffodiat cognatum suum: si vero sit inmundus, jaceat ipse fur ubi jacebat, et alius reddat.
- viii. Et omnis monetarius, qui accusabitur, quod falsum fecit, postquam interdictum fuit, adeat triplex ordalium; et si culpabilis sit, occidatur. Et nullus habeat aliquem monetarium, nisi rex. Et omnis monetarius, qui infamis sit, redimat sibi lagam xii. oris.
- ix. Et nemo pecus aliquid occidat, si non habeat duorum hominum credibilium testimonium; et custodiat corium ejus iii. noctes, et caput; et ovis similiter. Et si corium antea vendat alicui, reddat xx. oris.
- x. Et omnis flyma sit flyma in omni terra, qui fuerit in una.
- xi. Et nemo habeat socnam super taynum regis, nisi solus rex.
- xII. Et de placito regis ponatur vadium vI. dimidie marce; comitis et episcopi vadium xI. ore.
- XIII. Et si aliquis accusetur, quod paverit eum, qui pacem domini nostri fregerit, ladiet se mid prinna XII., i. e. cum ter XII., qui faciunt XXXVI.; et prepositus nominet ipsam ladam. Et si inveniatur cum eo, sint ambo unius rectitudinis digni.

¹ MSS. accusatus.

Et judicium stet ubi tayni consenserint; si dissideant, stet quod ipsi viii. dicent; et qui supervicti erunt ex eis, reddat unusquisque vi. dimidias marcas. Et ubi taynus habet duas optiones, amicitie vel lage, et amiciciam eligit, stet hoc ita firmum sicut ipsum judicium. Et qui super id ladam prorogat, vel qui dat, reddat vi. dimidias marcas.

XIIII. Et qui robaverit hominem in luce diei, et in tribus villis indicabit, non habeatur simile ac si concelasset.

xv. Et qui permanet, sine cravatione et calumpnia, in pace sua, dum vivit, nemo super heredes ejus loquatur inde post mortem.

*SENATUS CONSULTUM

DE

MONTICOLIS WALLE.

Hoc est consilium quod Anglie sapientes et plebis Walie consiliarii inter Dunsetas habuerint; hoc est:

DE VESTIGIO FURATI PECORIS MINANDO.

1. Si vestigium furati pecoris minetur de loco in locum, tunc commitatur ipsum vestigium land hominibus, vel cum marca monstretur, quod rectum prosequantur. Et recipiat illud in cujus terra deducetur, et habeat inquisitionem, et inde ad 1x. dies reddat ipsam pecuniam, vel vadium ponat ipsa die, quod valeat quesitam et investigatam pecuniam sesquialteram, vel inde ad 1x. dies ipsum vadium redimat, recta persolutione. Si dicatur, quod vestigium illud injuste minetur, tunc debet homo, qui per vestigium sequitur, ad locum ducere, et ibi se sexto ungecorenra, i. e. non electorum, qui credibiles tamen sint, jurare, quod in recto publico, super illam terram loquatur, sicut pecunia super eam venit.

QUO TERMINO RECTUM FACIAT ALIUS ALII, ET DE LADA INTER WALOS ET ANGLOS.

11. Semper ad 1x. noctes decet inter stationes, ut rectum faciat alius alii, et de lada et de alia causa, que inter eos sit. Non stat alia lada, i. e. purgatio de tyhla, i. e. compellatione, nisi ordalium inter Walos et Anglos; nisi pati velint de utraque stebe in aliam posse namiari, si non aliter rectum possit adquiri.

DE NAMO.

III. Si namum capiatur de alicujus pecunia, pro alterius causa, perquirat ille namum pro quo captum est, vel de suo

a Textus est ex T., cum Hh. et M. collato.

proprio restituat ei, cujus pecunia ¹capta est. Postea vel coactus rectum faciat, qui antea gratis noluit. Duodecim lahmen, i. e. legis homines, debent rectum discernere Walis et Anglis, vi. Walisci, et vi. Anglici; et perdant omne quod suum est, si injuste judicent, vel se adlegient, quod rectius nescierunt.

SI LADA DEFICIAT ANGLICO VEL WALISCO.

1111. Licet in furti compellatione lada deficiat Anglico vel Walisco, reddat angildes unde fuerat accusatus. De alio gildo nichil reddat, vel de wita.

SI WALISCUS ANGLICUM OCCIDAT, VEL E CONVERSO.

v. Si Waliscus Anglicum occidat, non cogitur eum super reddere, nisi dimidio weregildo; nec Anglicus Waliscum, sit de tainis, sit de villanis oriundus; dimidia wera cadit ibi.

DE TRANSITIONE ANGLICI IN WALIAM.

vi. Non licet alterutrum transire, vel Waliscum in Angliam, vel Anglicum in Walias, nisi residentes homines terre, hi debent eos ad statum recipere, et item inde sine facno reducere. Si landman, i. e. homo patrie, alicujus facinoris conscius fuerit, wite sue culpa sit, nisi se adlegiet de conscientia illa. Sic omnis qui cooperans, vel conscius sit, ubi unlandiscus homo inlandiscum derie, i. e. extraneus indigene noceat, adlegiet super conscientia illa, secundum precium captalis, et hoc jurejurando electo, quod dicitur cyreað: et qui eum impetit, inducat causam suam mid foraðe, i. e. cum prejuracione. Si lex ista deficiat, reddat twygilde, i. e. duplo gildo, et domino witam suam.

DE PRECIO CUJUSLIBET ANIMALIS SI AMITTATUR.

vII. Equus debet reddi xxx. soi, vel secundum id negari; equa xx. soi, vel per id negari; et winter-steal, et wilde-weorf, xII. soi, vel ita negari; bos xxx. d; vacca xxIIII. d; porcus vIII. d; homo xx. soi; ovis I. soi. Cetere res ungesepene, i. e. non vise, possunt juramento comprobari, et secundum hoc reddi; capra II. d.

capta T., causa Hk. et M.

520 SENATUS CONSULTUM DE MONT. WALLÆ.

SI PECUS INTERCIETUR ULTRA FLUMEN.

viii. Si pecus intercietur, et ultra flumen advocetur, tunc ponatur inborh, vel underwed mittatur, ut placitum illud finem habeat. Qui sibi repetit, det vi. sol jusjurandum, quod ita sibi attrahat, sicut ei furatum fuit: et qui advocat, unus et solus juret, quod ad manum illam vocet que vendidit ei. Si quis trans flumen propriare sibi velit, tunc erit hoc per ordalium. Similiter debet Anglico Waliscus rectum facere.

DE WENSETE ET DUNSETE.

IX. Aliquando Wentsete parebant in Dunsetas, sed pertinet rectius ad Westsexam: illuc debent gabli plegios dare. Et Dunsetis expedit, si rex concedat, ut saltem friögyslas, i.e. pacis obsides, habeant.

LEGES REGIS CNUTI.

^a Hec sunt instituta Cnuti, regis Anglorum, Danorum, et Norwegarum, venerando sapientum ejus consilio, ad laudem Dei, et suam regalitatem, et commune commodum habita, in sancto Natali Domini, apud Wintoniam, diligenter ac fideliter in Latinum translata, compendiosa brevitate, cum simplicitate lucida, velut suis asteriscis illustrata, unde quantam rerum et verborum affinitatem, paucorum adjectione vel omissione curaverim, facile sobrius lector agnoscet.

LEGES ECCLESIASTICE.

DE DILECTIONE DEI ET DOMINI SUI.

1. Inprimis est, ut Deum et Dominum nostrum tota mente diligamus, honoremus, et unam Christianitatis sancte fidem catholicam orthodoxe teneamus.

DE PACE ECCLESIARUM, ET DE INFRACTIONE PACIS EARUM.

II. Et sanctam Dei ecclesiam pacificare, custodire, frequentare, ad nostram semper utilitatem gaudeamus. Omnis ecclesia sub propria Dei Omnipotentis protectione consistit, et Christianis omnibus magnam super his reverentiam exhibere convenit; quia pax Dei super omnem pacis actionem specialius exoptanda, propensius est observanda, et postea regis. Et valde justum est, ut ecclesie pax intra parietes suos, et pax Christiani regis, quam manu sua dederit, semper inconvulsa permaneat: quicunque alterutrum perfregerit, de vita et omnibus in misericordia regis sit. Si quis amodo pacem ecclesie Dei violabit, ut intra parietes ejus homicidium faciat, hoc inemendabile sit, et persequatur eum omnis qui Deum

^{*} Textus est ex T., cum Hh. et Br. collato.

diligit, nisi contingat, ut, per aliquod pacis confugium, rex ei vitam concedat, plenis emendationibus erga Deum et homines. Et hoc tunc inprimis sit: ut precium natalis sui Christo persolvat et regi, et per hoc se inlegiet ad emendandum: si tunc ad emendationem veniat, et rex ita patiatur, emendet ecclesie pacem in ipsam ecclesiam, plena regis mundbryce, et reconciliationem ecclesie querat, sicut ad eam pertinebit; et megbotam et manbotam plene reddat; et saltem apud Deum sedulo componat.

DE MULCTA PRO DIGNITATE ECCLESIE CONFERENDA.

III. Si vero aliter, sine interfectione, pax ecclesie fracta sit, emendetur secundum quod acciderit, sit per pugnam, sit per robariam, sit per id quod sit. Emendetur primitus infractio pacis in ipsam ecclesiam, juxta quod culpa fuerit, et ipsius ecclesie dignitas; quia non omnes ecclesie parem emendationis dignitatem habent, licet eandem sanctificationis benedictionem consequantur. Capitalis ecclesie pacis infractio, in rebus emendabilibus, est sicut infractio regie pacis, i. e. quinque lib in Anglorum lege; mediocris ecclesie cxx. sot, i. e. wita regis; et adhuc minoris, ubi parva parochia sit, et atrium tamen sit, Lx. sot; et campestris ecclesie, ubi atrium non sit, xxx. sot.

DE DIGNITATE SACERDOTUM, ET ACCUSATIONE EORUM.

IIII. Christianis omnibus sincere convenit, sanctuaria, et ordines, et Deo dicata loca, summa discretione, et tota devotione pacificare, custodire, venerari, juxta modum singulorum: et qui scit intelligat, magnum est et mire precipuum, quod ad velle Dei, pro salute populi faciendum, creditur sacerdoti, et magna conjuratio, multaque benedictio est, que propellit diabolum, et in fugam redigit, quociens divina cooperante potentia, beatorum spirituum prosequente custodia, per manus temporalium sacerdotum, sacri baptismatis, vel eucharistie sacrosancta misteria, celebrantur.

DE PURGATIONE ORDINATORUM.

v. Si contingat sacerdotem regulariter viventem aliqua criminum compellatione pulsari, missam celebret, ac sancta

communione se purget, solus solum, si compellatio simplex sit: et in triplici calumpnia, cum duobus sui ordinis. Diaconus regularis, in simplici compellatione, cum duobus sui ordinis; in triplici, cum vi. diaconibus se adlegiet. Plebeius sacerdos, qui regularem vitam non habet, purget se sicut regularis diaconus. Si quis altari ministrantium accusetur, et, amicis destitutus, consacramentales non habeat, vadat ad judicium, id est ad panem conjuratum, quod Anglice dicitur corsned, et fiat sicut Deus velit; nisi super sanctum corpus Domini permittatur ut se purget. Si quis ordinatus homicidii particeps, consilio vel auxilio, fuisse compelletur, purget se cum parentibus suis, quorum interest occisionis factionem tolerare vel emendare. parentes non habeat, cum sociis se purget, vel jejunium ineat, si opus sit, et applicetur ad corsned, et fiat inde voluntas Dei. Monachus ecclesiasticus non debet aliquam de homine occiso persolutionem exigere vel emendare; quia cognationis sue legem exiit, cum se regularis conversationis discipline mancipavit. Si sacerdos aliquando falsus testis vel perjurus extiterit, vel furtum fecerit, vel in aliquo consenserit, deponatur, et omnium bonorum societate et dilectione careat et honore, si non erga Deum et homines, dignis penitentie fructibus, secundum episcopi sui jussionem, preparetur ad veniam, et emendationis et legalitatis plegios deinceps inveniat. Si se purgare velit, secundum facti mensuram sit, vel per triplicem negationem, vel per singularem.

EXHORTATIO SINGULORUM, ET MAXIME PRELATORUM, UT LEGITIME VIVANT, ET IN ORATIONE PERSEVERENT.

vr. Et volumus, ut quicumque sint in ordine clericatus constituti, puris mentibus inclinentur singulariter ad eam rectitudinem que ipsis pertinet; et saltem ut ministri Domini, pontifices, abbates, monachi, monache, canonici, nunne regulariter vivant, diebus ac noctibus sepius et assidue clament ad Deum, pro Christiani populi necessitate, et ei digne serviant, et castitatem diligant; quia perfecte sciant, quod non est rectum ut, causa cohabitandi, cum mulieribus habitent. Et qui super his abstinebit, et castitatem servabit, Dei misericordiam habeat, et ad honorem secularis taini lege dignus sit. Et omnis Christianus, pro timore sui Creatoris, injustum concubitum vitet, et Dei legem teneat.

DE DUCENDIS UXORIBUS LEGITIME, ET NE MERETRICES VAGENTUR.

vii. Unde commonemus, petimus, et in nomine Dei precipimus, ut nemo in parentela sua, intra sextam generationem,
uxoretur; nec in dimissa cognati sui, qui intra sextum geniculum pertineat ei; nec in cognatione uxoris sue; nec commatrem, vel filiolam suam, nec sanctimonialem, nec repudiatam
aliquis ducat uxorem; nec cum meretricibus circumeundo
fornicetur; sed unam legitimam habeat, quamdiu vixerit, qui
Dei legem juste servare desiderat, et a gehenne ignibus
animam suam liberare.

DE REDDENDIS DEBITIS DEO, IN DECIMIS ET ALIIS.

viii. Et reddantur Deo debite rectitudines annis singulis; hoc est elemosina carucarum xv. diebus post Pascha; decime de novellis gregibus in Pentecosten; terrenorum fructuum in festo Omnium Sanctorum. Si quis hanc decimam dare nolit, sicut omnium nostrorum commune est institutum, hoc est decima acra, sicut aratrum peragrabit, eat prepositus regis, et episcopi, et domini ipsius terre, cum sacerdote, et ingratis auferant, et ecclesie cui pertinebit reddant; nonam vero partem relinquant ei, qui decimam dare noluit; et octo partes reliquas in duo dividant, et sit una medietas episcopi, alia terre domini, sive regis homo sit, sive taini.

DE ROMFECH.

IX. Et Romfech, i. e. Rome census, quem beato Petro singulis annis reddendum, ad laudem et gloriam Dei, regis nostra larga benignitas semper instituit, in festo Sancti Petri reddatur: qui supratenuerit, reddat episcopo denarium illum, et xxx. denarios addat, et regi det cxx. solidos.

DE CYRICSCEATTIS.

x. Cyricsceat, i.e. ecclesie census, in festo Sancti Martini; et qui sine licencia supertenebit, eum reddat episcopo, et undecies persolvat, et regi cxx. sol.

DE TAINIS QUI ECCLESIAS HABENT UBI ATRIUM SIT, VEL NON SIT.

xI. Si quis tainus in hereditate sua terram habeat, in qua cemeterium sit, det ibi terciam partem proprie decime sue. Si quis ecclesiam habeat, ubi positionis locus non sit, det ex suis novem partibus presbitero suo quod velit. Et eat omnis cyricsceat ad matrem ecclesiam, per omnes liberas domos.

DE LUMINIBUS ECCLESIARUM.

xII. Et fiat ter in anno sinbolum luminis: primum in vigilia Pasche obolata cere de omni hida; in festo Omnium Sanctorum tantundem; tercio tantundem in festo Sancte Marie candelarum.

DE PRECIO SEPULTURE.

xIII. Pecunia sepulture justum est ut aperta terra reddatur. Si corpus aliquod a sua parochia deferatur in aliam, solvatur pecunia tamen sepulture ejus in eam cui jure pertinebat ecclesiam.

DE FERIATIONE DIEI DOMINICE, ET SOLEMPNI-TATIBUS SANCTORUM CELEBRANDIS.

XIII. Et omnes rectitudines et sancte Dei ceremonie, sicut omnibus opus est, totis desideriis observentur, in festivitatibus, in jejuniis, et in feriatione diei Dominice, ab hora nona Sabbati, usque ad diluculum secunde ferie, et in Sanctorum omnium solempnitatibus, sicut a sacerdote fuerint nunciate.

DE DIE DOMINICA.

xv. Ipsa vero die Dominica publica mercimonia, vel placitationum conventicula, venationes, et hujusmodi secularium acciones exerceri, modis omnibus prohibemus, nisi pro magna necessitate sit.

DE JEJUNIIS OBSERVANDIS.

xvi. Omne indictum jejunium devote conservetur, sive quatuortemporale, sive quadragesimale, vel deinceps aliud quodcumque sit; et ad omnes Beate Marie festivitates, et sanctorum apostolorum omnium jejunia votiva preveniant, preter Philippi et Jacobi, pro solempnitate Paschali; non enim sunt secundum legem indicta jejunia a Pascha usque ad Pentecosten, nec a Natali Domini usque ad octabas Epiphanie, nisi quis per penitentiam vel sponte jejunat.

DE TEMPORIBUS LEGES FACIENDI ET NON FACIENDI.

xvII. Et festis diebus juramenta, et ferri vel aque vel hujusmodi legis examina fieri prohibemus, et quatuor temporum, et diebus quadragesime, et aliis legitimis jejuniis, et ab adventu Domini usque in octavum diem post duodecimum a Natali, et a Septuagesima usque ad xv. dies post Pascha. Et sancti regis Edwardi gloriosum passionis diem, per totam Angliam volumus celebrari xv. kalend Aprilis. Et Sancti Dunstani xiii. kal Junii. Et sit in his sanctis observationibus, sicut vere justum est, Christianis omnibus pax et concordia, et omnis ira tollatur. Et si quis alteri debitor est de plegiatione, vel aliqua contingentium secularium emendatione, reddat ei sedulo, prius aut postea.

DE CONFESSIONE ET PENITENTIA, VIGILIIS, JEJUNIIS, ORATIONIBUS ET ELEMOSINIS, DE DILECTIONE, DE KARITATE, FIDE, SPE.

xvIII. Et in Dei dilectione petimus, ut quisque Christianus suam ipsius benefaciendi necessitatem intelligat; quia nos singulos tempus exspectat, quo nobis esset carius quam quicquid in orbe terrarum mundus obtinuit, Dei nostri voluntatem fecisse, dum licuit; tunc sane recipiemus uniforme stipendium, secundum opera nostra; ve qui promeruerit supplicia sempiterna. Renunciemus sedulo peccatis nostris, et confessionibus et abstinentiis expiemus, et quod nobis fieri volumus, aliis faciamus: hoc judicium justum est; et sane beatus et Deo gratus est, qui judicium hoc sincere tenuerit, ad gloriam Omnipotentis Dei, cujus sumus miseratione conditi, et precio magno redempti.

AD EUCHARISTIAM ET PROBITATEM.

xix. Quicunque Christianus, sicut vere necessarium est, dignam Christianitati sue curam impendat, et ad perceptionem communionis Dominice ter saltem in anno se preparet, ut non hoc ad judicium, sed ad remedium salutare manducet. Et quisquis, qui amicus Dei est, verbis et operibus rectitudinem flagitet, fidem et sacramenta caute custodiat, omnis injusticia de finibus nostris, quantum possumus, expellatur, et Dei justiciam, dictis et factis, deinceps amplectamur, et tunc ejus misericordiam propitiacius impetrabimus.

DE FIDELITATE DOMINIS EXHIBENDA.

xx. Item faciamus sicut adhuc persuadere volumus; simus dominis nostris per omnia fideles et credibiles, et eorum gloriam totis viribus exaltemus, et velle faciamus; quia quicquid pro recta dominorum fidelitate facimus, ad magnam nobis utilitatem facimus; et ¹scienter Deus illi fidelis est, qui domino suo recte fidelis est: et unicuique domino magnum opus est ut hominem suum recte deducat.

EPITHOMA DOCTRINE CHRISTIANE.

xxI. Omnes Christianos sedule commonemus, ut puro corde semper Deum diligant, et catholice Christianitatis fidei digne serviant, sancte ecclesie doctoribus devote pareant, Dei leges et doctrinam subtiliter investigent, semper et assidue, sibimet ad utilitatem.

UT ORATIONEM DOMINICAM ET SIMBOLUM CALLEANT.

xxII. Et omnis Christianus addiscat, ut saltem sane fidei rectam intelligentiam habeat, et sciat Pater noster, et Credo in Deum; quia per illud Deum exoramus, per aliud rectam fidem declaramus. Christus ipse primus hanc orationem protulit, et discipulos suos docuit, in qua septem sunt petitiones; et quis eam intimo corde cantabit, cum ipso Deo agit de quacumque necessitate vite, presentis et future. Sed quomodo potest aliquis devotas ad Deum preces effundere, qui non habet intime rectam fidem in eo? non habet sane, post transitum ejus, aliquam portionem cum Christianis, in requie Sanctorum; nec sancta communione dignus, nec vere Christianus habendus est, qui non vult eam discere; nec ad eum juste pertinet aliquem in sancto baptismo suscipere, nec a manibus episcopi, in confirmatione et datione Spiritus Sancti, antequam bene sciat eam.

UT EXITIALIA FUGIANT.

XXIII. Et docemus, ut a summis criminibus totis viribus caveamus in omni tempore: et qui impulsu diaboli in peccatum inciderit, propensius emendet, consilio penitentie sue.

ET INTER HEC STUPRUM.

xxIIII. Et ab inmundis gaudiis, id est a libidine, et injusto concubitu, vel adulterio caveat.

¹ Sax. picoblice, ab interprete sic redditum; similiter occurrit Legg. Sec. cap. xxxv.

UT CAVEANT SIBI DE TREMENDO JUDICIO.

xxv. Et omnes Dei timorem et amorem in mente habeant, et diebus ac noctibus a peccatis fugiant, diem judicii metuant, et inferni cruciatus, et semper ultimum vite sue terminum cogitent advenisse.

UT EPISCOPI ET SACERDOTES FIDE OBEANT OFFICIA.

xxvi. Episcopi sunt precones et doctores legis Dei, qui predicationibus et exemplis Dei debent misteria declarare, curet qui velit; quia supervacue pastor est, qui commisso sibi gregi non vult saltem clamore succurrere, si quid ei noceat. Non est aliquis tam nocens adversarius, sicut accusator humani generis inimicus, qui totis semper viribus inhiat, totis desideriis estuat, quomodo plures animas in supplicium pertrahat. Sit itaque pastor solers, pervigil, et attente proclamans, qui contra spirituales nequitias debet populo providere; qui sane sunt episcopi et sacerdotes, qui gregem Domini sapienti doctrina debent custodire et defendere, ne diabolica vesania illum vulneret vel occidat: et qui Dei preceptis obedire neglexerit, hic cum ipso Deo commune non habeat.

INSTITUTIO LEGUM SECULARIUM.

Hec est institutio legum secularium, quam communi sapientum meorum consilio, per totam Angliam teneri precipio.

DE JUSTICIA EFFERENDA.

1. Imprimis volo, ut juste leges erigantur, et injuste subvertantur, et omnis injustitia, quanta possumus observantia, de finibus nostris sarculetur et explantetur. Et Dei justitia modis omnibus exaltetur; et amodo omnis homo dignus publica rectitudine reputetur, pauper et dives, quicumque sit, et eis justa judicia judicentur.

DE MISERICORDIA IN JUDICIO HABENDA.

II. Si quis peccaverit, et seipsum profunde forisfaciat, temperetur in eo justitia, sicut erga Deum sit clementius, et in seculo tolerabilius. Et multa sedulitate cogitet, qui jus habet in judicio, quid sibi postulet a Domino, dicens: 'Demitte nobis debita nostra, sicut et nos dimittimus.' Prohibemus autem, ne Christianus aliquis, pro penitus parva re saltem, ad mortem seducatur; sed justicia pacificans, pro necessitate populi, exquiratur, ne pro levi re dispereat opus manuum Dei, et suum ipsius precium, quod profunde redemit.

NE CHRISTIANI VENDANTUR.

111. Precipimus ne Christiani passim in exilium vendantur, vel in gentilitatem; ne forte pereant anime, quas propria vita sua mercatus est Dominus noster Jesus Christus.

DE SORTILEGIS ET ALIIS VENEFICIS, ET NE QUIS COLAT IDOLUM.

1111. Et totis viribus semper patriam mundare in omnibus ejus finibus studeamus, et ab inmundis operibus circumquaque cessemus. Et si sage, vel incantatrices, venefice, aut murdri operarii, vel meretrices alicubi compareant, expellantur a finibus nostris, vel in eis pereant; nisi cessaverint, et profundius emendent.

Precipimus ut wibersacan, i. e. apostate, et utlage Dei et hominum patriam exeant, si non resipuerint, et digne peniteant: fures, et ejusmodi dampna populi, propediem pereant, si non conquiescant.

DE GENTILIUM SUPERSTITIONIBUS ABOLENDIS.

v. Omnem quoque gentilitatem modis omnibus interdicimus. Gentilitas est, si quis idola colet, i. e. gentilium deos, solem aut lunam, ignem vel fluctus, aquas fontium, vel lapides, vel alicujus generis ligna; vel wiccencreft, id est incantationis artem, diligat; aut murdri opus quolibet modo sectetur; aut in sacrificio, vel mortificia quoquo modo suscipiat; aut in sorte, aut in fyrthe, vel in similibus fantasiis, vel prestigiaturis aliquid agat.

DE HOMICIDIS ET PERJURIS.

vi. Homicide, et perjuri, sacrorum ordinum contemptores, et adulteri peniteant et emendent, aut cum peccatis suis a cognitione discedant

DE MALEFACTORIBUS, ET PACIS ACTIONE.

vii. Liguritores, i.e. seductores, mendaces, rapaces, raptores Dei gravamen habeant, nisi cessent, et prolixius emendent: et qui patriam juste purgare desiderat, et injusticiam sternere, veramque sapientiam diligere, multo debet studio talia compescere, et talia devitare.

DE PACE TUENDA, ET MONETA CORRIGENDA.

vIII. Agamus etiam omnes sedulo de stabilitate pacis, et emendatione pecunie. De pacis accione, sicut patrifamilias magis placeat, et furi plus displiceat. De correctione pecunie, ut una moneta per totas has nationes, sine omni falso, teneatur, et nemo repudiet eam; et qui posthac falsabit, manum perdat unde fecerit, et nec argento, nec auro, vel ullo modo redimat. Si prepositus accusetur, quod ejus licentia quis falsum fecerit, purget se triplici lada: quod si purgatio fregerit, idem judicium habeat quod qui falsum composuit.

DE PONDERIBUS ET MENSURIS.

ix. Mensure, pondera justificentur, et omnis deinceps injusticia opprimatur.

DE BURHBOTA, BRIGBOTA, ET ALIIS.

x. Burhbotam et brigbotam, i. e. civitatum et pontium emendatio, et scipfordunga et fyrdunga, que navigii vel expeditionis sonant apparatum, sedulo procuremus, cum necesse fuerit, ad commune regni nostri commodum.

DE CONSILIIS AD UTILITATEM REIPUBLICE PERTINENTIBUS.

xI. Et perquiramus simul, modis omnibus, quomodo precipuum possit consilium ad profectum populi obtineri, rectaque Christianitas propensius erigi, et quicquid injustum est solertius enervari.

QUE JURA REX HABET SOLUS ET SUPER OMNES IN WESTSEXA, QUE IN MERCENIS.

xII. Hec sunt jura, que rex habet super omnes homines in Myrcenis et Westsexa: mundbreche, i. e. infractionem pacis; hamsocnam, i. e. invasionem mansionis; forsteal, i. e. prohibitionem itineris; et fyrðunga, i. e. expeditionem; nisi aliquem amplius honorare velit.

DE UTLAGIS.

XIII. Et qui opus utlagii fecerit, ejus revocatio sit in misericordia regis. Et si terram testamentalem habeat, que Anglice
dicitur bocland, ipsa in manum regis transeat, sit ejus homo
cujus sit. Qui forisbannitum paverit, vel ei firmationem
aliquam exhibuerit, emendet regi v. lib; nisi se adlegiet, quod
infugatum eum nesciebat.

жии. * *

REX MULCTAS PACIS VIOLATE IN REGIONIBUS DACORUM ACCIPIAT.

xv. In Denalaga habet rex fyhtwitan, i. e. forisfactum pugne; et fyrowite, i. e. forisfactum expeditionis; grithbrice, i. e. infractionem pacis; et hamsocnam, i.e. invasionem mansionis; si non aliquem specialius honoraverit. Si quis hominem pro culpa exiliatum tenuerit aut paverit, emendet hoc, sicut ante legitimum fuit. Si quis deinceps unlagam, i. e. non legem erigat, vel injustum judicium judicet, pro lesione, vel aliqua pecunie susceptione, sit erga regem cxx. sol reus in Anglorum lege; nisi cum juramento audeat inveritare, quod reccius nescivit; et dignitatem sue legalitatis semper amittat, si non eam redimat erga regem, sicut ei permittetur. In Denalaga lahslihtes reus sit, si non juret, quod melius nescivit. Et qui recte legi, vel justo judicio refragabit, reus habeatur erga eum cui pertinebit; et erga regem sit cxx. soi; si erga comitem Lx. sol; si erga hundretum xxx. sol; sic erga singulum eorum, si sic accidat in Anglorum lege: in Denelaga lahslihte.

DE ACCUSANTIBUS NEC PROBANTIBUS.

xvi. Qui aliquem accusare presumet, unde pecunia vel commodo pejor sit, et denique mendacium pernoscatur, linguam suam perdat, vel weregildo redimat.

DE HUNDRETO REQUIRENDO.

xvII. Nemo regem requirat de justicia facienda, dum ei rectum offertur in hundreto suo; et requiratur hundretum super witam, sicut justum est.

QUOCIENS DEBEAT HABERI BURHMOT ET SCYREMOT.

xvIII. Et habeatur in anno ter burgimotus, et scyremotus bis; nisi sepius sit necesse. Et intersint episcopus et aldermannus; et doceant ibi Dei rectum et seculi.

DE NAMIS CAPIENDIS.

xix. Et nemo namum capiat in comitatu, vel extra comitatum, priusquam ter in hundreto suo rectum sibi perquisierit. Si tercia vice rectum non habeat, eat quarta vice ad conventum tocius comitatus, quod Anglice dicitur scyremotus, et ipse comitatus ponat ei quartum terminum. Qui si fallat, tunc licentiam accipiat, ut, abhinc et inde, suum audeat perquirere.

UT OMNIS HOMO LIBER SIT IN HUNDRETO ET IN DECIMA.

xx. Et volumus, ut omnis homo liber in hundreto et in decima positus sit, qui purgatione dignus esse velit, aut wera, si quis eum post duodecimum etatis sue annum accuset, vel non sit aliqua liberorum rectitudine dignus; sit heoròfest, sit folgarius, sit in hundreto et in plegio constitutus; et teneat eum plegius, et adducat ad omne rectum. Multi strecman, i. e. potentes sive fortes, volunt, si possint et audeant, defendere homines suos ad utrumlibet, sicut eis videbitur quod tunc procedat, modo pro servo modo pro libero; sed nolumus hanc injusticiam pati.

DE FURIBUS.

xxI. Volumus, ut omnis homo, post duodecimum etatis sue annum, juret, quod fur esse nolit, nec furi consentaneus.

DE LEGE CREDIBILIS ET INCREDIBILIS ACCUSATI.

xxII. Et sit omnis homo credibilis, qui non fuerit accusationibus infamatus, i. e. latrocinio occupatus, et neutrum ei fregerit, vel juramentum vel ordalium in hundreto, simplici lada dignus. Incredibili eligatur simplex lada in tribus hundretis, et triplex juramentum, tam late sicut ad ipsam curiam obeditur, vel eat ad ordalium; et inducatur simplex lada, i. e. purgatio, simplici prejuramento, triplex lada triplici prejuramento. Si taynus habeat credibilem hominem ad antejura-

mentum pro eo, sit. Si non habeat, ipse taynus causam suam prejuret: et nullum unquam antejuramentum condonetur.

DE ADVOCATIS.

XXIII. Et non sit quisquam alicujus advocationis dignus, nisi credibile testimonium habeat, unde venerit ei quod cum eo deprehenditur; et inveritent hoc ipsi testes in fide Dei, et domini sui, quod ei in vero testimonio sint, sicut oculis superviderint, et auribus superaudierint, quod recte hoc adquisivit.

QUOD EMENDUM SIT ET ADVOCANDUM SUB-LEGALIUM TESTIMONIO.

xxIIII. Et nemo aliquid emat super IIII. denariorum valens, mobile vel immobile, nisi habeat credibile testimonium IIII. hominum, sit in civitate sit extra civitatem. Et si tunc super eum intercietur, et tale testimonium non habeat, non liceat ei advocare; sed reddat repetenti captale suum, et secundam solutionem, et forisfacturam cui pertinebit. Si testimonium habeat, sicut prediximus, tunc liceat inde ter advocari, et quarta vice proprietur, aut reddatur ei cujus erit. Et nobis non videtur rectum, ut aliquis propriare cogatur, ubi testimonium est, et cognosci potest quod ibi brede sit. Et nemo illud propriare debeat, ante sex menses postquam furatum est.

DE INFAME ET SUSPECTO, ET DE SUPERSEDENTIBUS VENIRE AD COMITATUM.

xxv. Qui fuerit accusationibus infamatus, et populo incredibilis, et hec placita ter subterfugerit, videatur qui quarto placito mittantur ad eum, et inveniat etiam tunc plegios, si possit; si non possit, exsuperetur, sicut alterutrum poterit, sive vivus sive mortuus; et capiatur omne quod habebit. Et solvatur repetenti captale suum; reliqui habeat dominus ejus dimidium, hundretus dimidium. Et si aliquis, vel cognatus vel alienus, illuc ire negaverit, solvat regi cxx. sol.

DE FURE PROBATO, ET PRODITORE.

xxvi. Et perquirat fur probatus quicquid perquirat, vel qui de morte domini sui tractaverit, nunquam sibi vitam adquirat: et qui deinceps furabitur, querat quicquid querat, nunquam sibi vitam impetret.

DE ANTITHETARIO.

xxvII. Et qui in placito seipsum, vel hominem suum distortis compellationibus defendere presumpserit, habeat totum hoc forspecen, i. e. cassatum; et contingat de reliquo sicut hundreto rectum videbitur.

DE HOMINIBUS SUSCIPIENDIS ET DIMITTENDIS.

xxvIII. Et nemo suscipiat aliquem ultra trinoccium, nisi ipse commendet, cui antea servivit. Et nemo suum hominem a se dimittat, priusquam mundus sit in causis omnibus, quibus ante fuerit accusatus.

DE ILLIS QUI FURIBUS OBVIANT.

XXIX. Si quis furi obviaverit, et sine vociferatione gratis eum dimiserit, emendet secundum weram ipsius furis, vel plena lada se adlegiet, quod cum eo falsum nescivit. Si quis, audito clamore, supersederit, reddat overhyrnessam regis, aut plene se ladiet.

DE INCREDIBILI ACCUSATO IN HUNDRETO, ET DE EJUS ADLEGATIONE.

xxx. Si quis adeo sit incredibilis hundreto, et a tribus simul accusetur, tunc nichil aliud interveniat, quin ad triplex ordalium eat. Si dominus ejus dicat tunc, quod ei neutrum, vel juramentum vel ordalium, fregit, postquam consilium fuit apud Wincestriam, assumat idem dominus secum duos homines credibiles in ipso hundreto, et juret, quod illi nunquam juramentum vel ordalium fregit, nec furigildum reddidit; nisi talem prepositum habeat, qui eo dignus sit, qui hoc facere possit. Si juramentum procedat, eligat accusatus alterutrum quod velit, sive simplex ordalium, sive juramentum unius libre, in tribus hundretis, super xxx. denarios. Et si jurare non audeat, eat ad triplex ordalium. Et inducatur triplex ordalium hoc modo: sumat quinque, et idem sit sextus; et si reus fuerit, in prima vice sit calumpniatori duplo reddens, et domino suo weram suam, qui ea dignus erit; et ponat credibiles plegios, quod omni malo deinceps abstineat. Ad secundam vicem, non sit alia emendatio, si reus fuerit, nisi ut amputentur ei manus aut pedes aut utrumque, secundum quod factum fuerit. Et si adhuc amplius peccaverit, eruantur ei oculi, et truncentur ei nasus et aures et superlabium, vel decapilletur; quicquid horum consuluerint, quorum tunc intererit; sic corrigi poterit, et anime provideri. Si aufugerit, et ordalium vitaverit, solvat plegius compellanti captale suum, et regi weram suam, vel ei qui wita sua dignus erit. Et si dominus compelletur, quod ejus consilio fugerit, et antea malum fecerit, adsumat secum v. credibiles, et idem sit sextus, et inde se purget. Si purgatio perficiatur, sit were sue dignus; si deficiat, habeat rex ipsam weram; et fur apud omnem populum utlaga sit.

QUOD OMNIS DOMINUS DEBET TENERE FAMILIAM SUAM IN PLEGIO SUO.

xxxI. Et habeat omnis dominus familiam suam in plegio suo; et si accusetur in aliquo, respondeat in hundreto ubi compellabitur, sicut recta lex sit. Quod si accusetur et fugiat, reddat dominus ejus regi weram, i. e. precium nativitatis hominis illius. Et si dominus accusetur, quod consilio suo fugerit, adlegiet se cum quinque taynis, id est nobilibus, et idem sit sextus. Si purgatio frangat ei, solvat regi weram suam; et qui fugit, extra legem habeatur.

DE SERVO QUI IN ORDALIO EST CULPABILIS.

xxxII. Si servus in ordalio reus fuerit, signetur prima vice; secunda vice, nulla sit emendatio nisi caput.

DE INCREDIBILI APUD OMNES.

XXXIII. Si quis homo sit, qui omni populo sit incredibilis, adeat prepositus regis, et ponat eum sub plegio, qui ad rectum habeat eum omnibus accusantibus. Si plegium non habeat, occidatur, et cum dampnatis mittatur; si quis eum defendere presumat, sint ambo unius recti digni. Quisquis hoc supersederit, et facere noluerit, sicut omnium nostrum verbum est, det regi cxx. sol.

UT SIT UNA LEX INTER BURGOS.

xxxIIII. Et stet inter burga lex una purgandi.

DE PEREGRINIS ACCUSATIS.

xxxv. Si quis amicis destitutus vel alienigena ad tantum laborem venerit, ut plegium non habeat, in prima tihle, i.e. accusatione, ponatur in carcanno, et ibi sustineat, donec ad Dei judicium eat. ¹ Scienter qui amicis destituto vel extraneo deterius judicium judicat quam socio suo, seipsum ledit.

SI QUIS PERJURABIT SE SUPER SANCTA.

xxxvi. Si quis falsum juramentum super sancta jurabit, et convictus inde fuerit, manum perdat, vel dimidiam weram; et hoc commune sit domino suo et episcopo; et non habeatur deinceps juratione dignus, si erga Deum profundius non emendet, et plegios inveniat, quod semper in reliquum cesset.

SI QUIS FALSUM TESTIMONIUM DICET.

'XXXVII. Si quis in mendaci testimonio manifeste stabit, et probatus inde fuerit, non admittatur deinceps in legitimum testimonium, sed solvat regi vel terre domino suum healsfang.

DE JUSTICIA NON FACIENDA IN FESTIS.

xxxvIII. Non est in aliquo tempore concessa injusticia; et tamen est festis diebus et sanctificatis locis propensius interdicta. Semperque sicut homo potentior est, vel majoris ordinis, sic debet solertius, pro Deo et seculo, quod justum est emendare; et Deo gratam emendationem sedulo perquiramus de scripturis sanctis, et secularem juxta legem seculi.

SI QUIS MINISTRUM ALTARIS OCCIDAT.

XXXIX. Si quis altaris ministrum occidat, utlaga sit erga Deum et homines, nisi dignis satisfaccionibus veros penitentie fructus ostendat, et erga parentes ejus emendet, vel werelada se adlegiet; et infra XXX. noctes hoc incipiat apud Deum et homines, super omne quod habet.

QUI ORDINATUM VEL ALIENIGENAM MALIGNABIT.

xL. Si quis ordinatus vel alienigena seducatur in aliquo, de pecunia vel vita, sit ei rex pro cognatione et advocato, si penitus alium non habeat; et emendetur regi, sicut justum est; vel illud factum nimis profunde vindicet. Christiano regi jure pertinet, ut injurias Deo factas vindicet, secundum quod acciderit.

¹ Conf. Legg. Eccl. cap. xx. et notam ibidem.

DE ORDINATO QUI HOMINEM OCCIDAT.'

XLI. Si quis minister altaris hominem occidat, vel malis actibus ultra modum differatur, ordine simul et dignitate privetur, et peregrinetur, sicut ei papa suus injunget, et opus emendet sedulo. Si se purgare velit, tripliciter hoc faciat; et si non infra xxx. noctes hoc incipiat, erga Deum et homines extra legem habeatur.

DE CLERICIS LIGATIS VEL VERBERATIS.

xLII. Si quis ordinatum aliquem verberibus, aut vinculis, vel aliquatenus affligat, emendet ei, sicut rectum sit, et episcopo emendationem altaris, secundum dignitatem ordinis; regi vel domino plenam infraccionem pacis; aut plena laga neget.

SI CLERICUS SE FORISFACIAT AD MORTEM.

XLIII. Si quis ordinatus se forisfaciat in morte plectendis actibus, capiatur, et servetur episcopi judicio discutiendus, secundum quod factum sit.

QUOD CONFESSIO NON NEGETUR DAMPNATO.

XLIIII. Si quis morti dampnatus confessionem desideret, nunquam negetur ei; et si quis ei perneget, emendet regi cxx. soì, vel se adlegiet; sumat quinque, et idem sit sextus.

NE QUIS OCCIDATUR DIE DOMINICA SI VITARI POSSIT.

xLv. Et si vitari possit, nunquam occidatur aliquis die Dominica morte forisfactus, nisi fugiat vel repugnet, sed capiatur, et servetur, donec festum transierit. Si liber festis diebus operetur, emendet hoc secundum suum halsfang, et saltem erga Deum sedulo emendet, sicut edocebitur. Si servus operetur, corium suum perdat, (i. e. aut solutionem corii sui, pro modo facti,) vel xxx. denariis redimat, secundum quod factum erit. Si dominus cogat servum suum diebus festis operari, ipsum servum perdat, et sit deinceps publice liber, et solvat dominus lahslit cum Dacis, witam cum Anglis, secundum facti meritum.

DE JEJUNIUM VIOLANTE.

XLVII. Si liber legitimum jejunium infringat, reddat lahslit cum Dacis, witam cum Anglis, secundum quod acciderit. Si

servus tale quid egerit, careat corio, vel redimat solutionem corii, pro facti qualitate. Malum est, ut tempore jejuniorum ante horam comedat, et adhuc deterius, ut carnis cibo quis seipsum inquinet.

SI QUADRAGESIMALE JEJUNIUM INFRINGATUR, PER PUGNAM VEL PER ALIUD.

XLVIII. Si quis aperte quadragesimale jejunium frangat, per pugnam, vel per concubitum, aut rapinam, vel per aliquid summorum criminum, sit hoc duplo corrigendum, sicut in summis festivitatibus, secundum quod factum erit: si negetur, triplici lada fiat.

SI QUIS DEI RECTA PER VIM SUPERTENEAT.

XLIX. Si quis Dei rectitudines prohibeat, solvat lahslit cum Dacis; plenam witam cum Anglis, vel se adlegiet; assumat XI. et idem sit duodecimus. Si aliquem vulneret, hoc emendet, et reddat plenam witam domino, et ab episcopo manum suam redimat, vel eam amittat. Si aliquem occidat, sit utlaga, et capiat eum cum clamore omnis qui rectum velit. Si efficiat ut occidatur, per hoc quod contra rectum resistat, si hoc inveritetur, inultus jaceat.

SI QUIS ORDINIS INFRACTURAM FACIAT.

L. Si quis ordinis infracturam faciat, emendet hoc, secundum ordinis dignitatem, wera, wita, labslite, et omni misericordia.

DE ADULTERIO IN VACUA, VEL SPONSA ALTERIUS, VEL ORDINATA.

LI. Si quis adulterium faciat, emendet, secundum quod factum sit. Malum adulterium est, si sponsus cum vacua fornicetur, et multo pejus, cum sponsa alterius, vel cum ordinata.

DE INCESTO IN COGNATA.

LII. Si quis cum pertinente sua jaceat, emendet hoc, secundum cognationis modum, sic wera, sic wita, sic omni pecunia. Non equale est, si quis cum sorore sua concumbat, et fuerit de longe pertinens.

DE VIRGINIBUS ET VIDUIS VI SUBACTIS.

LIII. Si quis violenter virginem opprimat, wera componat. Si quis viduam per vim capiat, wera emendet.

DE ADULTERA.

LIIII. Si mulier, vivente marito suo, faciat adulterium, et manifestetur, sit ad dedecus seculi sibi ipsi, et habeat legalis maritus omne quod ipsa habebat, et ipsa perdat nasum et aures; et si compellatio sit, et in emundando miseveniat, sit in episcopi potestate, et ipse graviter judicet.

DE ADULTERO, QUI ADULTERATUR CUM ANCILLA SUA.

Lv. Si quis uxoratus fornicetur cum ancilla sua, perdat eam, et pro seipso peniteat erga Deum et homines. Et qui sponsam et concubinam simul habebit, non faciat ei presbiter aliquid rectitudinum que Christiano fieri debent, priusquam peniteat, et ita emendet, sicut episcopus injunget, et semper deinceps super his abstineat.

DE ALIENIGENIS ILLICITE SE HABENTIBUS.

Lvi. Alienigene si concubitus suos dirigere nolint, extra patriam, cum peccatis et pecunia, recedant.

DE MURDRO APERTE PERPETRATO.

LVII. Qui murdrum aperte perpetrabit, reddatur parentibus interfecti, et si compellatio sit, et in emundatione miseveniat, judicet episcopus.

DE TRACTANTE MORTEM REGIS ET DOMINI SUI.

LVIII. Si quis de morte regis, vel domini sui, quoquo modo tractabit, vite sue reus sit, et omnium que habebit; nisi triplici judicio se purget.

DE FRANGENTE PLEGIUM REGIS, VEL ARCHIEPI-SCOPI, VEL FILII REGIS, VEL EPISCOPI, VEL ALDERMANNI.

LIX. Si quis plegium, i. e. pacem regis frangat, emendet quinque libras. Si quis archiepiscopi, vel filii regis plegium frangat, III. libras emendet. Si quis episcopi, vel aldermanni plegium frangat, II. libras emendet.

DE PUGNANTIBUS IN FAMILIA REGIS.

Lx. Si quis in familia regis pugnet, vite sue reus sit, nisi rex ei misereri velit.

SI QUIS EXARMETUR VEL LIGETUR INJUSTE.

LXI. Qui aliquem exarmabit injuste, solvat eum secundum suum halsfang; si ligabit, dimidia wera reddat eum.

DE INFRACTIONE PACIS IN EXERCITU REGIS.

LXII. Si quis in exercitu regis pacis infractionem perficiat, vitam perdat, vel weregildo redimat. Si non perfecerit, emendet, juxta quod factum sit.

DE HAMSOCNA.

LXIII. Si quis hamsocnam faciat, v. libras emendet regi in Anglorum laga; et in Denalaga, sicut lex stetit antea. Quod si quis eum inter agendum perimat, ægylde, i. e. insolutus jaceat.

DE ROBARIA.

I.XIV. Si quis robariam faciat, reddat et persolvat, et were sue reus sit erga regem.

DE HUSBRECHE, ET BERNET, ET OPENDYFDE, ET EBEREMORD, ET HLAFORDSWICE.

Lxv. Husbreche, i.e. infractura domus; et bernet, quod dicimus incendium; et openþyfð, i.e. apertum furtum; et æbere morð, i.e. apertum murdrum; et hlafordspice, i.e. infidelitas erga dominum, secundum legem seculi inemendabile est.

SI QUIS BURHBOTAM, VEL BRIGBOTAM, VEL FERD-FARE SUPERSEDERIT.

LXVI. Si quis burhbotam, vel brigbotam, i. e. burgi vel pontis refeccionem, vel fyrdfare, i. e. in exercitum ire, supersederit, emendet hoc erga regem cxx. sol in Anglorum laga; in Denelaga, sicut stetit antea; vel ita se adlegiet, nominentur ei xIIII. et adquirat ex eis xI. Ad refeccionem ecclesie debet omnis populus, secundum rectum, subvenire.

DE HABENTIBUS INJUSTE DEI FUGITIVOS.

1.xvII. Si quis Dei fugitivum habeat injuste, reddat eum ad rectum, et persolvat ei cui jus erit, et regi emendet, secundum weregildum. Si quis excommunicatum vel utlagam habeat, et manuteneat, desperatio sibi est, et omni quod possidet.

DE MISERICORDIA EXHIBENDA.

LXVIII. Et si aliquis velit ab injusticia reverti ad rectum, remittatur ei pro timore Dei, sicut melius poterit.

QUID MAXIME EXPEDIAT IN JUDICUS.

LXIX. Et faciamus sicut nobis expedit, succurramus semper ei primitus, qui magis indiget, tunc metemus inde mercedem nostram, ubi nobis carius erit; quia semper debet inpotenti, pro Dei timore et amore, clementius judicari quam forti. Sane possumus scire, quia non potest debilis cum strenuo pariter; unde mediare debemus, et distincte discernere senium et juventutem, habundantiam et inopiam, libertatem et servitutem, felicem et infelicem, sanitatem et infirmitatem; et utrobique debet hoc diligenter adverti, tam in divinis legibus, quam in secularibus judiciis. Item, in multis quando aliquis coactus peccat, magis veniale est, si necessitate fecit quod fecit: et si quisquam agat aliquid impossibiliter, non est omnino simile, si voluntarie faciat.

ALLEVIATIO, QUAM TOTI REGNO SUO REX INDULSIT, SUPER INJUSTIS EXACCIONIBUS.

LXX. Hec est alleviatio, quam omni populo meo previdere volo, in quibus nimis omnino fuerant aggravati. Precipio prepositis meis omnibus, ut in proprio meo lucrentur, et inde mihi serviant. Et nemo cogatur eis, ad firme adjutorium, aliquid dare, nisi sponte sua velit. Et si quis forisfacturam inde cravabit, were sue reus sit erga regem.

DE RELEVATIONIBUS COMITUM ET THAYNORUM, PROVECTORUM ET ALIORUM.

LXXI. Si quis ex hac vita decedat sine distribucione rerum suarum, vel per incustodiam, vel per mortem inprovisam, non usurpet sibi dominus ejus de pecunia sua, nisi quantum ad justam relevationem pertinet, que Anglice vocatur heregat; sed sit secundum dictionem ejus ipsa pecunia recte divisa uxori, pueris, et propinquis, unicuique secundum modum qui ad eum pertinet.

DE HERIOTIS.

LXXII. Et sint relevationes ita invente, sicut modus sit. Comitis, sicut ad eum pertinet, hoc est, VIII. equi, IIII. sellati,

IIII. insellati; et galee IIII., et lorice IIII., cum vIII. lanceis, et totidem scutis; et gladii IIII., et cc. mance auri. Postea taini regis, qui ei proximus sit, IIII. equi, II. sellati, et II. insellati; et II. gladii, et IIII. lancee, et totidem scuta, et galea cum lorica sua, et L. mance auri. Et mediocris taini, equus cum apparatu suo, et arma sua, vel suum halsfang in Westsexa. In Mircenis II. lib. In Eastanglia II. lib. Et taini relevatio cum Dacis, qui socnam habet, IIII. lib. Et si notus sit regi, equi duo, unus cum sella, alius sine sella, et unus gladius, et due lancee, et totidem scuta, et L. mance auri: et qui minus potest det II. libras.

DE UXORE ET HEREDIBUS BONDE.

LXXIII. Et ubi bonda, i. e. paterfamilias manserit, sine compellatione et calumpnia, sint uxor et pueri in eodem, sine querela. Et si compellatus in vita sua in aliquo fuerat, respondeant heredes ejus, sicut ipse deberet, si viveret.

DE VIDUIS INFRA ANNUM NUBENTIBUS, ET EARUM MARITIS.

LXXIIII. Et sit omnis vidua sine marito XII. mensibus, et eligat postea quem velit; et si, intra unius anni spacium, marito se ligaverit, perdat morgangifam suam, et omnem pecuniam, quam ex priori marito habebat, et manus injiciant proximi amici ejus ad terram et pecuniam, quam antea habebat. Et sit ipse maritus were sue reus erga regem, vel cui rex concesserit. Et licet eciam per vim capiatur, perdat tamen totam pecuniam, si non ab eo recedere velit in domum suam; et nunquam deinceps fiat uxor ejus. Et vidue nunquam velentur nimis cito. Et persolvat omnis vidua relevationem suam intra XII. menses, sine forisfactura, si non possit antea.

NE VIS FIAT VIRGINI VEL FEMINE IN MARITANDO.

LXXV. Et nunquam cogatur virgo vel femina ad eum qui sibi displiceat; nec pro pecunia detur, nisi idem aliquid sponte sua dare velit.

SI MALUM FIAT DE ARMIS ALTERIUS IN BELLO.

LXXVI. Et volo, licet aliquis lanceam suam ponat ad ostium domus alterius, et intus habeat ad faciendum; vel si aliquid armorum discrete ponatur, ubi quiete posset esse, si permitteretur, et quilibet hoc arripiat, et dampnum inde faciat, rectum est, ut qui dampnum fecit, dampnum eciam emendet. Et si ille, cujus armis malefactum est, se adlegiare audeat, quod nec velle vel posse suam fuerit, vel testimonium, Dei rectum est ut inde quietus sit; et videat alius, ut quod forisfecit emendet, sicut lex docebit.

DE FURTO IN DOMO INVENTO.

et ita fuerit abarnatus, rectum est ut habeat quod quesivit. Et nisi sub custodia uxoris sue positum sit, innocens habeatur; sed suum hordern, quod dicere possumus dispensam, et cistam suam, et teage, id est scrinium suum, debet ipsa custodire. Si sub aliquo istorum inveniatur, tunc ipsa quoque culpabilis habeatur. Non potest uxor aliqua sponsum suum prohibere, quin mittat in tugurio suo quod vult. Fuit antea, quod infans, qui jacebat in cunabulis, licet nunquam cibum gustaset, a rachinburgiis putabatur eque reus ac si intelligens esset; sed hoc ego prohibeo, modis omnibus, in eternum, et talia multa que Deo sunt odiosa.

DE TRANSFUGIS A DOMINIS VEL A SOCIIS IN BELLO.

LXXVIII. Et qui fugiet a domino, vel socio suo, pro timiditate, in expeditione navali vel terrestri, perdat omne quod suum est, et suam ipsius vitam, et manus mittat dominus ad terram, quam ei antea dederat; et si terram hereditariam habeat, ipsa in manum regis transeat.

DE CADENTIBUS PRO DOMINIS IN BELLO.

LXXIX. Et qui in bello ante dominum suum ceciderit, sit hoc in terra, sit alibi, sint relevationes condonate, et habeant heredes ejus terram, sicut et pecuniam suam, et recte dividant inter se.

DE ILLIS QUI TERRAM ADQUIETAVERUNT, TESTIMONIO COMITATUS.

LXXX. Et qui terram adquietatam habet scyre, id est comitatus testimonio, habeat sine querela in die et post diem, ad dandam ei quem plus amabit.

DE LIBERTATE VENATIONIS.

LXXXI. Volo, ut omnis homo sit venatione sua dignus, in nemore et in campo, in dominio suo. Et abstineat se omnis

homo a venariis meis, ubicunque pacem eis haberi volo, super plenam witam.¹

DE DRYNCELEAN, ET RECTO DONO DOMINI.

LXXXII. Et drynclean, id est retribucio potus, et domini rectum donum, semper stet inconvulsum.

DE PACE EORUM QUI AD PLACITA VENIUNT.

LXXXIII. Et volo, ut omnis homo pacem habeat eundo ad gemotum, vel rediens de gemoto, id est placito, nisi probatus fur ait.

DE PREVARICATIONIBUS HARUM LEGUM, PRIMO, SECUNDO, VEL TERCIO.

LXXXIV. Qui leges istas apostabit, quas rex modo nobis omnibus indulsit, sit Dacus sit Anglus, were sue reus sit erga regem; et si secundo faciat, reddat bis weram suam; et si quis addat tercio, reus sit omnium que habebit.

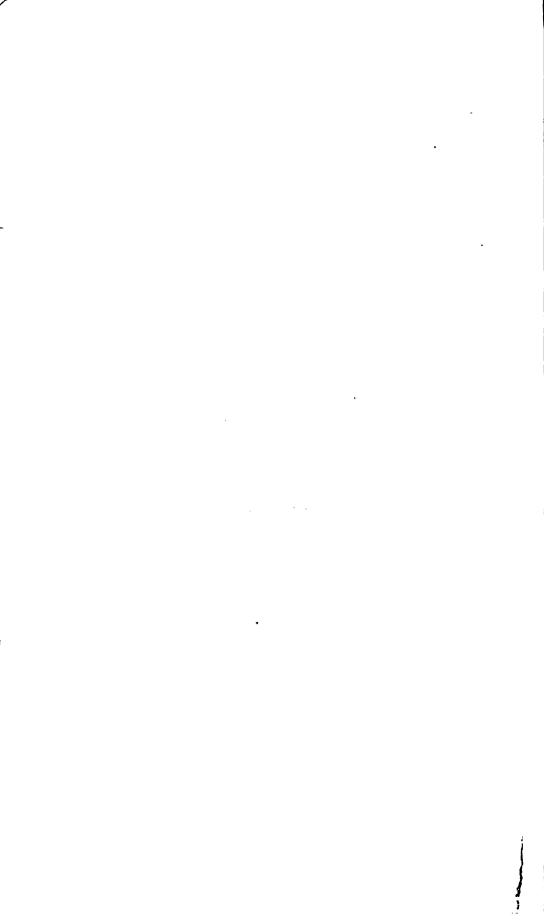
BREVIS ADMONITIO RECTE VITE AD POPULUM.

LXXXV. Denique sedulo precor, et in nomine Dei precipio omnibus hominibus, ut intimo corde convertantur ad Deum; et semper assidue et diligenter inquirant, quid eis sit faciendum, quid vero dimittendum. Omnibus nobis magnum opus est, ut Deum vere diligamus, et Dei legem servemus, sanctis doctoribus devote pareamus; quia ipsi producent nos in judicio, quando Christus Dominus judicabit omnem hominem, ex antefactis suis. Et felix erit pastor, qui tunc gregem suum in Dei ²divitias, et celeste gaudium letum producere poterit, ex pristinis operibus; et exultatio erit gregi, qui pastori paruerit, per quem segregatus erit a diabolo, multiplicatus autem Deo. Satagamus omnes uniformi corde semper Creatori

¹ Si quis furatus fuerit pisces in stagno, quod Angli dicunt fiscpol, persolvat domino stagni despectum suum, quod Angli ofersaunesse [dicunt]. Si quis canem, qui custodire domini sui caulas debet, et lupum abigere, occiderit, persolvat domino canis vi. sot. Canem, quem Angli dicunt greihund, qui nondum cepit leporem, nec aliam bestiam, xl. đ. persolvat. Si vero doctus est, et cepit, lxxx. đ. reddat. Canem, qui in pluvia, sine alicujus cura vigilat, quem Angli dicunt renhund, xii. đ. Canis vero, qui vocatur vealtris, et Angli dicunt lanlegeran, x. sot persolvatur. T. add.

² Sax. pice ab interprete Anglo-Normanno sic vertitur.

nostro digne placere, et amodo simul provideamus nobis a sempiternis ignibus, et gehenne cruciatibus. Et faciant doctores et Dei precones sicut rectum est, et omnibus necessarium; predicant sepius que ad Deum pertinent; et omnis qui discretionis sciens est, et zelum Dei habet, audiat illos gratissime, et Dei doctrinam in mente habeat firmiter, sibimet ad utilitatem. Et omnis homo semper ad honorem Creatoris sui faciat boni quod potest, verbo et opere, hilariter usquequaque, et tunc erit nobis ejus misericordia preparatior. Sit nomen ejus benedictum in secula, et laus ei gloria et honor pariter in secula seculorum. Deus Omnipotens omnibus nobis indulgeat, sicut ei velle sit. Amen.



MONUMENTORUM ECCLESIASTICORUM

VERSIO ANTIQUA.



• MONUMENTORUM ECCLESIASTICORUM

VERSIO ANTIQUA.

DE EMENDATIONE ET INFRACTURA ORDINIS.

- I. * * *
- 11. Et ad ordinis emendationem, si ordinatus occidatur, super rectam weram, primus gradus emendetur una libra, et digna pænitentia sedulo perquiratur.
- 111. Et ad emendationem ordinis, si vite sit amissio, super rectam weram, in secundo gradu, due libre reddantur, cum Deo digna pœnitentia.
- 1111. Et ad emendationem ordinis, si plena infractio fiat, super rectam weram, in tertio gradu, tribus libris emendetur, cum digna penitentia.
- v. Et ad emendationem ordinis, si plena fiat infractio, super rectam weram, in quarto gradu, IIII. libre reddantur, cum penitentia.
- vi. Et ad ordinis infracturam, super rectam weram, in quinto gradu, v. libre componantur, cum idonea penitentia.
- vii. Sexto infracto gradu, super rectam weram, vi. libris emendetur, cum digna penitentia.
- vIII. Septimo gradu infracto, super rectam weram, vII. libris emendetur, cum injuncta penitentia.

b Saxonice, p. 240.

^a Textus est ex T., cum Hk. et M. collato.

- 1x. Et ad ordinis infracturam, de pace digne componatur, secundum factum.
- x. Semper enim debet judicium factum, et moderatio secundum mensuram, pro Deo et seculo fieri.
- xi. Et de emendatione ordinis, pars sit episcopi, secunda altari, tercia societati.

*DE OFFICIO EPISCOPI.

Episcopo jure pertinet omnem rectitudinem promovere, Dei videlicet ac seculi. Inprimis debet omnem ordinatum instruere quid eis jure sit agendum, et quid hominibus secularibus indicare debeant. Debet eciam sedulo pacem et concordiam operari cum seculi judicibus, qui rectum velle diligunt; et in compellationum adlegatione docere, ne quis alii perperam agat in jurejurando, vel in ordalio. Nec pati debet aliquam circumventionem injuste mensure, vel injusti ponderis; sed convenit, ut per consilium et testimonium ejus omne legis scitum, et burgi mensura, et omne pondus ponderis sit, secundum dictionem ejus, institutum valde rectum; ne quis proximum suum seducat, pro quo decidat in peccatum. Et semper debet Christianis previdere contra omnia que peccata sunt; et ideo debet se magis de pluribus intromittere, ut sciat quomodo grex agat, quem ad Dei manum custodire suscepit, ne diabolus eum laniet, nec malum aliquid superseminet. Nunquam enim erit populi modulo bene consultum, nec digne Deo conservabitur, ubi lucrum impium et magis falsum diligitur; ideo debent omnes amici Dei, quod iniquum est enervare, quod justum est elevare, non pati ut, propter falsum et pecunie questum, se forisfaciant erga vere sapientem Deum, cui displicet omnis injustitia. Christianis autem omnibus necessarium est, ut rectum diligant, et iniqua condempnent, et saltem sacris ordinibus evecti justum semper erigant, et prava deponant. Hinc debent episcopi cum seculi judicibus interesse judiciis, ne permittant, si possint, ut illinc aliqua pravitatum germina pullulaverunt.

^a Saxonice, p. 312.

Et sacerdotibus pertinet, in sua diocesi, ut ad rectum sedulo quemcunque juvent, nec patiantur, si possint, ut Christianus aliquis alium noceat, non potens inpotenti, non summus infimo, non prelatus subditis, non dominus hominibus suis, servis aut liberis, molestus existat. Et secundum dictionem, et per mensuram suam convenit, ut servi testamentales operentur super omnem scyram cui preest. Et rectum est, ut non sit aliqua mensurabilis virga longior quam alia, sed per episcopi mensuram omnes institute sint et exequate, per suam diocesin, et omne pondus constet secundum dictionem ejus. Et si aliquid controversiarum intersit, discernat episcopus. cujusque domini necesse proprium est, ut compatiatur et condescendat servis suis, sicut indulgentius poterit; quia Domino Deo viventi sunt eque cari servus et liber, et omnes eodem precio redemit, et omnes sumus Dei necessario servi; et sic judicabit nobis, sicut ante judicavimus eis, quibus judicium superhabuimus in terris.

ERRATA.

Page 145. cap. xvII. line 2. for ejus read eorum.

- 215. note (k) for xxx. 18. read xxxi. 18.

ABBREVIATIONS EXPLAINED.

Ælf. C. Canons of Ælfric, p. 342, 343. Ælfric's Epistle, 'Quando dividis Chrisma,' p. 390, 391. Ælf. E. Ælf. P. Ælfric's Pastoral Epistle, p. 364, 365. De Cf. De Confessione, p. 260, 261. E. B. Ecclesiastical Compensations or 'Bots,' p. 240, 241. Ecg. C. Ecgberti Confessionale, p. 128, 129. Ecg. D. Dialogus Ecgberti, p. 87. Ecg. E. Excerptiones Ecgberti, p. 97. Ecg. P. I. Ecgberti Pœnitentiale, I. p. 170, 171. Ecg. P. II. -- II. p. 180, 181. Ecg. P. III. -- III. p. 194, 195. Ecg. P. IV. -- IV. p. 204, 205. - (Additamenta), p. 232, 233. Ecg. P. A. -Edg. C. Canons enacted under King Edgar, p. 244, 245. E. I. Ecclesiastical Institutes, p. 394, 395. I.P. Institutes of Polity, p. 304, 305. M. I. P. Modus Imponendi Pænitentiam, p. 266, 267. N. P. L. Law of the Northumbrian Priests, p. 290, 291. Of Penitents, p. 278, 279. Pen. P. M. Of Powerful Men, p. 286, 287. Th. C. Theodori Capitula et Fragmenta, p. 63.

Theodori Liber Pœnitentialis, p. 1.

Th. P.



A.

Abbot and Abbess.

If an abbot command his monk to say mass for heretics, Th. P.

Various regulations concerning, Th.C. p. 63. 64.; Ecg. E. 63-66; Ecg. P. A. 15.

Abbots in subjection to bishops, Ecg. E. 63.

If an abbot lend money on usury, Ecg. P. III. 7. Of their duties, I. P. 13.

Accusation.

That no ecclesiastic may accuse one of higher degree, Th. C. p. 73.; Ecg. C. 42.

If any wellborn (ingenuus) Christian be accused, Th. C. p. 75. If a priest or deacon be accused, Ecg. D. 3.

Acephalus, Ecg. E. 160.

Acoluthus, Acolytus, Th. C. p. 73.; Ecg. C. 42.; Ælf. C. 14.; Ælf. P. 34.

Adultery and Fornication. See also Marriage—Husband and Wife.

If a man sin with a virgin, Th. P. xvi. 2. 3. 13.; Th. C. p. 76.; Ecg. E. 113.; Ecg. C. 39. n. 3.; Ecg. P. IV. 68.; Ecg. P. A. 33.

Si mulier aut cum seipsa aut cum altera fornicata fuerit, Th.P. xvi. 4. xviii. 20.; Th.C. p. 77. 83.; Ecg. C. 31.; Ecg. P. IV. 68.

If a wife commit adultery, Th. P. xvi. 5. n. 4. xix. 17. 18. 19.; Ecg. E. 123.; Ecg. C. 19.; Ecg. P. IV. 68.; Ecg. P. A. 12.

Si laicus cum laica, Th. P. xvi. 5. 6. 7.; Ecg. C. 12.

Si quis sæpe fornicatus fuerit, Th. P. xvi. 5. n. 3.; Ecg. P. IV. 68.

Si inter femora vel crura, Th. P. xvi. 8. 9.; Th. C. p. 83.

Si quis adulterare voluerit, et non potuerit, Th. P. xvi. 10. xix. 11.; Th. C. p. 79.; Ecg. P. IV. 68.

If a layman fornicate with a widow or girl, Th. P. xvi. 11.

If a nun fornicate, Th. P. xvi. 14. 26. xviii. 2. 3. 19.; Th. C. p. 77. 82. 83.; Ecg. E. 134.; Ecg. C. 13. 14.; Ecg. P. IV. 9.; N. P. L. 63.

Adultery and Fornication - cont.

- If a widow fornicate, Th. P. xvi. 17.; Ecg. C. 39. n. 3.
- If any one fornicate in a church, Th. P. xvi. 18.; Ecg. C. 16.
- Si quis cum uxore retro vel in tergo nupserit, Th. P. xvi. 19.; Ecg. C. 21.
- If any one be long addicted to fornication, Th. P. xvi. 20.
- Si laicus cum meretrice fornicatus fuerit, Ib. 25.
- Si laicus cum multis feminis, vel cum uxore alterius, fornicatus fuerit, Th. P. xvi. 26. xix. 12. n. 2.; Th. C. p. 76. 82.; Ecg.C. 14.; Ecg. P. IV. 9.
- If a virgin commit fornication in the house of her parents, Th. P. XVI. 27.
- If a Christian woman fornicate with Jews, Ib. 35.
- If a bishop, priest, deacon, &c. fornicate, Th. P. xvIII. 1. 11-14.; Th. C. p. 74. 82. 83. 85.; Ecg. E. 33.; Ecg. C. 3. 4. 12. 13.; Ecg. P. III. 1. IV. 7.; M. I. P. 28.; Ælf. P. 42.
- If a bishop, priest, &c. fornicate with nuns, Th. P. xvIII. 2. 13.; Th. C. p. 85.; Ecg. P. IV. 9. 10.; M. I. P. 30.
- If a bishop, priest, &c. beget children, Th. P. xvIII. 3. 13.; Th. C. p. 83.; Ecg. C. 12.
- If a bishop, priest, &c. commit adultery, Th. P. xvIII. 4.6. 15.; Th. C. p. 83.; Ecg. E. 69.; M. I. P. 28.
- If a priest had a wife, and have connexion with her after entering into holy orders, Th. P. xvIII. 5.; Ecg. P. IV. 8.; M. I. P. 29.
- If a priest or deacon take another's (extrancam) wife, Th. P. XVIII. 6.
- If a bishop, priest, &c. fornicate with laywomen, Ib. 7. 14.; Th. C. p. 82. 83. 85.
- If a bishop, priest, &c. fornicate with relatives, Th. P. xvIII. 10.
- If a single man defile another's wife, Th. P. xix. 3.; Th. C. p. 82.; Ecg. C. 39. n. 3.
- If a married man defile a virgin, Th. P. xix. 4.; Th. C. p. 82.; Ecg. C. 39. n. 3.
- If a married man have intercourse with several single women, and with another's wife, Th. P. xix. 5.12. n.2. 32.; Ecg. C. 14. 19.; Ecg. P. II. 7. 10. IV. 68.; Ecg. P. A. 33.; M. I. P. 15. 18.
- If a man forsake his wife, and take a single woman or virgin, and vice versa, Th. P. xix. 6.12.; Ecg. P. II. 8.; M. I. P. 16.
- If a married man sleep with his female servant, Th. P. xix. 7. 8.; Ecg. C. 14.
- If a married man take his female servant as concubine, Th. P. xix. 8.; Th. C. p. 82.; Ecg. C. 14.
- If a woman persuade another's husband to sleep with her, Th. P. xix. 10.
- If a man or woman commit adultery, Ib. 17.; Ecg. P. II. 7.; M. I. P. 15.
- If a man will not part from his adulterous wife, Th. P. xix. 31.
- If a man commit adultery with another's wife, Ib. 32.; Th. C. p. 76.; Ecg. C. 14.; Ecg. P. II. 10. IV. 68.; M. I. P. 18.
- If a man have a lawful wife and a concubine, Th. P. xix. 33.; Th. C. p. 82.; Ecg. P. II. 9.; M. I. P. 17.
- That a man may not communicate with his adulterous wife, and vice versa, Th. C. p. 77.
- If an unmarried man have criminal intercourse with another's wife, Ib. p. 82.

Adultery and Fornication — cont.

If a woman fornicate, Ecg. E. 123.; Ecg. P. IV. 68.

If any one fornicate with two relations, Ecg. E. 138.

If any one by craft take a woman or girl for illicit purposes, Ecg. P. II. 13.; M. I. P. 22.

If any one take another's female attendant for illicit purposes, Ecg. P. II. 14.; M. I. P. 23.

If any one would fornicate with a nun, and she refuse, Ecg. P. IV. 10.; M. I. P. 31.

If any one desire to fornicate with another's wife, and she refuse, Ecg. P. IV. 10.; M. I. P. 32.

If any one desire to fornicate 'unrihtlice,' Ecg. P. IV. 12.; M. I. P. 33.

Æ-fæsten, see Fasting.

Altar.

That no woman may approach the altar, Th. P. xLvi.; Ecg. P. III. 12.; Edg. C. 44.; E. I. 6.

On every altar two masses may be said daily, Th. P. xLVIII. 4.; Ecg. C. 35.

That stone altars only be consecrated with the chrismal oil, Ecg. E. 52.

If the altar be removed, Ib. 141.

That no priest celebrate mass, except on a hallowed altar, Edg. C. 31.; N. P. L. 14.

Altar-'bōt,' N. P. L. 23. 24.

Ancilla, see Servus and Ancilla.

Anniversaries for the Dead, Th. P. xLv. 8.

Anointing the sick, Ecg. E. 21.

Arius, Ælf. 3.

Arson.

If any one burn the house or chest (area) of another, Th. P. XXIII. 16.; Ecg. P. IV. 58.

Augustine, Th. P. xLv. 15.; Ecg. C. 41.; Ecg. P. III. 14.

B.

Bædling (Mollis), Th. P. xxvIII. 3.; Ecg. P. IV. 68.

Baptism.

If a heathen man leave a heathen wife in her own power after their baptism, Th.P. xix. 20. n.6.; Ecg. C. 17.

If a child die without baptism, Th. P. xxi. 34.; Th. C. p. 82.; Ecg. C. 18. n. 10.; N. P. L. 10.; M. I. P. 42.; Ælf. C. 26.; E. I. 17.

If any one be baptized by a heretic, Th. P. xxx. 7.

If any one be baptized twice, Th. P. xxxvIII. 1. 2. 3.; Ecg. C. 17.; Ecg. P. A. 27.

If any one not ordained baptize, Th. P. xxxvIII. 4.; Ecg. C. 7.; Ecg. P. A. 30.

If any one be ordained before he is baptized, Th. P. xxxvIII. 5. xLVIII. 13. n. 1.; Ecg. C. 7.

Baptism - continued.

A priest may not refuse baptism, Th. P. XLIII. 2.; Ecg. E. 11. 40.; Ecg. C. 6.; Edg. C. 15.; N. P. L. 8.; Ælf. C. 26.; E. I.

That all the faithful are allowed to baptize the dying, if necessary, Th. P. XLIII. 4.

That deacons (not subdeacons) may baptize, Th. P. XLVIII. 7. 8. If any one be baptized by a fornicating priest, Ib. 13. n. 1.; Ecg. C. 17.

If a bishop or priest do not baptize according to the precept,

or immerge thrice, Th. P. XLVIII. 19. 20.

That a woman may not baptize without extreme necessity, Ib. 21. In baptism there may be one father, if a case of necessity, Ib. 22. A woman may answer for a man at baptism, and vice versa, Ib. 23.; Ecg. C. 18.

Those baptized may not eat with catechumens, Th. P. XLVIII.

24.; Ecg. C. 18.

If any one doubt of his baptism, Th. C. p. 65.; Ecg. P. A. 31. That the time for baptism be strictly observed, Ecg. E. 10.

That a priest baptize at all times, when needful, Ib. 11. 40.

That no priest baptize for money, Ib. 12.; Ælf. C. 27.

If there be no credible witnesses of a child's baptism, Ecg. E.

Of mixing wine with the baptismal water, Ib. 42.

Baptism the first remission of sins, Ecg. C. procem.; Ecg. P. ĬV. 63.

That every child be baptized within nine days, N.P. L. 10.

Bathing, Th. C. p. 71.

Beer, Th. P. xxvi. 14.

Bees, Th. P. xxxi. 18.; Ecg. C. 39.; Ecg. P. IV. 37. n. 2.

If any one slay a bishop, Th. P. 111. 5. xx1. 10.; Ecg. C. 23.; Ecg. P. IV. 68.

If a bishop fornicate, Th. P. xvIII. 1. 7. 10. 11. 14.; Th. C. p. 74.

83. 85.; Ecg. E. 33.; Ecg. C. 3.; Ecg. P. IV. 7.

If a bishop fornicate with a nun, Th. P. xviii. 2. 13.; Th. C. p. 85.; Ecg. P. IV. 9.

If he beget children, Th. P. xvIII. 3. 13.

If he commit adultery, Ib. 4. 15.

If he slay the children so begotten, lb. 8.

Si cum quadrupede fornicetur, Ib. 9.

If he commit perjury or theft, Th. P. xvIII. 11. xxIII. 2. xxIV. 1.; Th. C. p. 74.; Ecg. E. 33.; Ecg. P. II. 24. 25.

The bishop may dissolve a vow made without his consent, Th. P. XIX. 22.

If a bishop commit homicide, Th. P. xx1. 17.; Th. C. p. 81.; Ecg. E. 33.; Ecg. P. II. 1. IV. 1.; M. I. P. 9.

If a bishop be addicted to drunkenness, Th. P. xxvi. 2.; Ecg. P. IV. 33.

If a bishop vomit, through drunkenness or gluttony, Th. P. XXVI. 4.

If a bishop, through drunkenness or gluttony, vomit the eucharist, Ib. 4.

if through infirmity, Ib. 4.

Bishop — continued.

If a bishop be guilty of an unnatural crime, Th. P. xxvIII. 2.; Th. C. p. 84.

If a bishop command his clerk to celebrate mass for heretics, Th. P. xxx. 11.

That a bishop may confirm in a field, if needful, Th. P. XLVIII. 3. His duty to adjudge penance, Ib. 6.

If he do not baptize according to the precept, or immerge thrice, Ib. 19. 20.

A bishop may not appoint an abbot, without the consent of the brotherhood, Th. C. p. 64.; Ecg. P. A. 15.

Of mass at the ordination of a bishop, Th. C. p. 63.

Of those ordained by Scottish or British bishops, Ib. p. 64.; Ecg. P. A. 5.

That no bishop receive another's penitent, Th.C. p. 70.

Si obtrectaverit mulieris pectus, Ib. p. 71.

That no one dispose of a church, without the bishop's sanction, Ib. p. 73.

That no priest be appointed to, or expelled from his church without the bishop's consent, Ib. p. 73. 78.; Ecg. E. 23. 50. 57.

That a priest may not accuse a bishop, Th.C. p. 73.

Of bishops taking wives, Ib. p. 74.

If a bishop, having broken the offering, do not communicate, Ib. p. 77.

That he do not leave his diocese (parochia) for another, Ib.

That a bishop confess his sins, Ib. p. 77.

Si episcopus fornicatus fuerit, sicut sodomitæ, Ib. p. 78.

Si concupiscit fornicari et non potuerit, Ib. p. 79.

Of a bishop's oath, Ecg. D. 1.

That only in church the bishop sit above the priests, Ecg. E. 27. That every bishop provide that the churches in his diocese (parochia) are well constructed and repaired, and decorated,

Ib. 28.

Requisites of a bishop, Ib. 29. 30.

That he harbour no woman, Ecg. E. 31.

If a bishop obtain his dignity for money, Ib. 44.

A bishop not to ordain, &c. sine consilio presbyterorum, Ib. 45.

That a bishop find food and raiment for the poor and helpless, Ib. 56.

That a bishop meddle not with secular affairs, Ib. 58.

If any one raise his hand to strike in the presence of a bishop,

Abbots in the subjection of bishops, Ib. 63.

If a bishop take away property belonging to the church, Ib. 72. Of a bishop's ordination, Ib. 97.

If a bishop forfeit his order, Ecg. C. 8.

That a bishop may not refuse confession, Ecg. P. I. 9. 10.; N. P. L. s.

That a bishop may not practise usury, Ecg. P. III. 7. If a bishop practise hunting, Ecg. P. IV. 32.

Of a bishop's duty in general, I. P. 6-10.

Bishops and priests are of the same order, Edg. C. 50, Ælf. C. 17.; Ælf. P. 35. 36.

Blæc (Ink), Edg. C. 3.

Blasphemia, Th. P. xxxIV.

Blot, N. P. L. 48. See Superstitions.

B6c-fel (Vellum), Edg. C. 3.

Books, Edg. C. 3. 32. 34.; Ælf. C. 21.; Ælf. P. 44.

Brother and Sister.

If any one involuntarily slay his brother, Th. P. 111. 1. 2.

If a man marry his sister, Th. C. p. 83.

Burying, Th. P. xLv. 12. xLv11. 1.; Ecg. C. 36.; Edg. C. 29.; E. I. 9.

C.

Catechumen, Th. P. XLVIII. 22. 24.; Ecg. C. 18.

Chalice, Edg. C. 41.; Ælf. C. 22.; Ælf. P. 45.; E. I. 18.

Child (Puer - Puella). See also Virgin.

If a youth and girl have connexion, Th. P. xvi. 2. 3. 11. 13.; Ecg. E. 113.; Ecg. C. 39. n. 3.; Ecg. P. IV. 68.; Ecg. P. A.

That a boy till the age of fifteen is in his father's power, Th. P. xix. 26.; Ecg. E. 96.; Ecg. C. 27.

That a girl till the age of sixteen or seventeen (thirteen) is in the power of her parents, Th. P. xix. 26. n. 2. & 27.; Écg. C.

That a father may, if compelled by necessity, deliver his son into slavery, until he is seven years, Th. P. xix. 28.; Ecg. C. 27.

That a boy of thirteen may make himself a slave, Th. P. xix.

If any one slay his child, Th. P. xx1. 19.; Th. C. p. 74.; Ecg. C. 12.; Ecg. P. II. 1.; M. I. P. 8.

If children beat each other, Th. P. xxi. 31.

If a child die without baptism, Ib. 34.; Th.C. p. 82.; Ecg. C.

18. n. 10.; M. I. P. 42.; N. P. L. 10.; Ælf. C. 26.; E. J. 17. If any one overlay his child, Th. P. xxi. 36.; Ecg. P. A. 4.; M. I. P. 41.

If a child steal, Th. P. xxIII. 6. 7.; Ecg. C. 15.

De puerorum variis pollutionibus, Th. P. xxvIII. 4-7. 12. 17. 18.; Ecg. C. 15. 16.

If any one sell his child or near relation, Th. P. XLII. 3. 4. 5.: Ecg. P. IV. 26.

One child, instead of another, may be given to a monastery, Th.C. p. 65.; Ecg. P. A. 3.

If a mother place her child too near the fire, and one scald it to death, Th. C. p. 76.

A child in a monastery of fourteen years may eat flesh, Ib. p. 76. Children at years of puberty either to marry or profess continence, Ecg. E. 115.

If any one carry off another's daughter, Ecg. P. IV. 13.; M. I. P.

That every child be baptized within nine days, N. P. L. 10. Of the housel for children, Ælf. E. 5.

Chrism.

If any one lose the chrism, Th. P. xl. 1.; Ecg. P. IV. 52. Of chrism for the dead, Th. P. xLv. 12. Ecg. C. 36.

That every priest have baptismal oil, and unction for the sick. Ecg. E. 21.; Edg. C. 65. 66.; Ælf. P. 47. 48.

That no priest go out without chrism, Ecg. E. 43.

A priest's duty when he fetches chrism, Edg. C. 67.

If a priest at the proper time do not fetch chrism, N. P. L. 9.

Of chrism for children, and for the sick, Ælf. C. 32.

Of the division of chrism, Ælf. E. 1. 2.

Greek and Roman usage with regard to, Th. P. XXXVIII. 14. n. 3.; Ecg. C. 37. n. 4.

Church, Church-Grid,

Si qui in ecclesia nubunt, Th. P. xvi. 18.; Ecg. C. 16.

Mulieres menstruo tempore non introeant ecclesiam, Th. P.

xvII. 8.; Th. C. p. 71.; Ecg. C. 28. 29.; Ecg. P. IV. 40. If any one steal anything belonging to a church, Th. P. XXIII.

1.; Ecg. E. 74.; Ecg. P. A. 6.

That ecclesiastical property, if stolen, be rendered fourfold, Th. P. xxIII. 12. n. 2.; Th. C. p. 65.; Ecg. E. 73.; Ecg. P. A. 6.

That of money (pecunia) taken in another territory, or from a vanquished king, a third belongs to the church, Th. P. xxIII. 17.; Ecg. P. A. 9.

Of burying in a church, Th. P. xLv. 12. xLvII. 1.; Ecg. C. 36.; Edg. C. 29.; E. I. 9.

That a church or mynster may be removed to another place, Th. P. xLVII. 2.; Th. C. p. 64. n. 1.; Ecg. P. A. 17. 26.

That the timber of a church may not be applied to other purposes, Th. P. xLVII. 5.; Ecg. P. A. 16.

That the lord may not assign the land of one church to another, Th. C. p. 64. n. 1.; Ecg. P. A. 25.

Of tributum ecclesiæ — ne tantum pauperes in decimis, &c. vim patiantur, Th. C. p. 65.

If any one injure a priest in atrio ecclesiæ, Ib. p. 74.

If a priest or deacon sell anything belonging to the service of the church, Ib. p. 86.

That every priest construct (ædificet) his church with great care, Ecg. E. 1.

That churches antiquitus constitutæ be not deprived of their tithes, &c., Ib. 24.

That to every church shall be a manse free from all dues, Ib. 25. That the bishop see that all churches in his diocese are well built, &c., Ib. 28.

That nothing be put into a church, except what appertains to the service, Ib. 35.; Edg. C. 27.; E. I. 8.

If a bishop or priest take away any thing belonging to the church, Ecg. E. 72.

If any one flee to a church, Ib. 76.

If any one injure another, while under ecclesiastical protection, Ib. 77.

If any one leave the church while the priest is speaking, Ib. 86.

VOL. II.

Church, &c. — continued.

If the altar be moved, that the church be consecrated anew, Ecg. E. 141.

If the wall be displaced, Ib. 141.

Of defilement of a church, Ib. 141.

If any one break into a church for theft, Ecg. P. IV. 24.

Of the various compensations for 'had-bryce,' E. B. 1-12.

That priests keep their churches with all due reverence, Edg. C.

Sobriety to be maintained at churchwakes, Ib. 28.

Of lights burning in a church, Ib. 42. If any one break church-griö, N. P. L. 19.

If any one traffic with a church, Ib. 20.

If any one reduce a church to servitude, Ib. 21.

If a priest dishonour his church, Ib. 25.

That every church is in God's grio, and that church-grio is inviolate, I. P. 25.

Of the seven ecclesiastical degrees, Ælf. C. 10-17.; Ælf. P. 34.

Church-scot, Edg. C. 54.

Cingulum Militiæ, Th. C. p. 72.

Clericus, see Priest.

Communion, see also Eucharist.

Of abstinence before communion, Th. P. xvII. 1-7.: Th. C. p. 81.; Ecg. E. 111.; Ecg. C. 25. 28.

That a man having a wife and a concubine may not communicate, Th. P. xix. 33.

False witnesses excluded, Th. P. xxII. 1.

Of communion with heretics, Th. P. xxx.

If a priest, through ignorance, grant communion to an excommunicated person, Th. P. xxxix. 17.

if to a criminal before reconciliation, Ib. 20.

Of those dying without communion, Th. P. XLI. 2. 3.; Ecg. P. I. 13.

If the sick, before penitence, desire to communicate, Th. P.

If an excommunicated person die, Ib. 5.

Of communion among the Greeks and Romans, Th. P. xLIV. 1-3. XLVIII. 13. n. 1.

That both Greeks and Romans abstain from women for three days before they communicate, Th. P. xliv. 3.; Ecg. C. 35.

That penitents ought not to communicate before the completion of their penance, Th. P. xLIV. 4.; Ecg. E. 39.

That a man may not communicate with his adulterous wife, and vice versa, Th. C. p. 77.

If a bishop or priest, having broken the offering, do not communicate, Ib. p. 77.

Of those who enter a church and oblationem non præsumunt, nec percipiunt sacrificium, Ib. p. 77.

Not to be refused to the dying, Ecg. E. 20.

Of those who do not communicate at Christmas, Easter, and Pentecost, Ib. 38.

To be frequent during Lent, E. I. 41. 44.

Confession (Shrift).

Of confession to God only, and of confession to priests, Th. P. xxxix. 13. n. 3.; Th. C. p. 85.; E. I. 30.

Various precepts concerning confession, Th. P. xli. 3.; Ecg. C. procem.; Ib. 1. 2.; Ecg. P. I. 9-15.; E. I. 31.

That a bishop and a priest confess their sins, Th. C. p. 77.

That a bishop or a priest may not refuse confession, Ecg. P. I. 2. & n. 2. 9. 10.; N. P. L. 8.

Of the times for confession, Ecg. P. IV. 65.

Directions for confession, De Cf. 1-11.

Of confession in general, Pen. 1-19.

That a priest shrive sinners. Ælf. C. 31.

That confession be made the week before Lent, E. I. 36.

Confirmation.

That a bishop may, if needful, confirm in a field, Th. P. XLVIII.

In confirmation one may be father, if a case of need, Ib. 22. If any one be twice confirmed, Ecg. C. 39.

Corpse.

If any one burn corn where there is a corpse, Th. P. xxvII. 15.; Ecg. C. 32.

That no absurdity be practised with a corpse, Edg. C. 65.; Ælf. C. 35.; Ælf. P. 48.

If any one lose it, and in what it consists, Th. P. xl. 2.

Creed, see Pater noster and Creed.

D.

Deacon, see Priest, Deacon, &c.

Dead.

Of mass for the dead, Th. P. xLv. 1-4. 10-15.; Ecg. C. 9. n. 2.

Of anniversaries for the dead, Th. P. xLv. 8.

Of praying for the dead, Ib. 9. Of chrism for the dead, Th. P. xLv. 12.; Ecg. C. 36. Of fasting for the dead, Th. C. p. 65.

Denial (Ætsæc), N. P. L. 51-53.

Detraction, see Malediction and Detraction.

Devil.

If a man be tormented by him, Th. C. p. 65.

Dionysius Areopagita, Th. P. xLv. 15.; Ecg. C. 41.

Divorce, Th. P. xIX. 18. 20. 31.

Dog.
Not to be admitted within a church, Edg. C. 26.

Drince-lean, N. P. L. 67.

Drunkenness and Gluttony.

If any one commit homicide through drunkenness, Th. P. 111. 13.; Th. C. p. 81.; Ecg. P. IV. 68.

If a bishop, priest, &c. be addicted to drunkenness, Th. P. xxvi. 2.; Ecg. E. 14.; Ecg. P. IV. 33.; Edg. C. 57. 58.; N. P. L. 41.; Ælf. C. 29.; Ælf. P. 49.; E. I. 13.

If a priest, deacon, &c. vomit through drunkenness or gluttony, Th. P. xxvi. 3. 13.; Ecg. P. IV. 34-36.; Ecg. P. A. 32.

If a bishop, priest, &c., through drunkenness or gluttony, vomit up the eucharist, Th. P. xxvi. 4.

If a layman make another drunk, Ib. 7.; Th. C. p. 80.; Ecg. P. IV. 37.

If through abstinence, or for joy, any one vomit at Christmas, Easter, &c., Th. P. xxvi. 9.

If any one drink at the command of a bishop, Ib. 9.; Ecg. P. A. 24.

If priests become intoxicated unwittingly, or through negligence, Th. P. xxvi. 10.; Th. C. p. 79.

If any one force a man to drunkenness, Th. P. xxvi. 11.; Th. C. p. 80.

If a priest, deacon, &c. drink so much that he cannot sing, Th. P. XXVI. 12.

If any one from repletion, feel distension and pain to vomiting, Ib. 13. 14.

If any one be intoxicated with wine or beer, Ib. 14.

If a priest, from gluttony, before the canonical hour take food, Ib. 15.

Drycræft, Ecg. C. 29. See Superstitions.

Ducatus.

Qui præbent ducatum barbaris, Th. P. xxi. 33.

E.

Ealu-scop, Edg. C. 58.; N. P. L. 41.

Easter (Pascha).

If any one celebrate it with the Jews, Th. P. xxx. 4. When and how to be celebrated, Ecg. E. 37.; Ælf. C. 36. Of housel hallowed at, Ælf. C. 36.

Eating and Drinking, see Food.

Elder Tree (Ellen), Edg. C. 16. See Superstitions.

Ember Days, Ecg. P. A. 21.

Enchantment, see Superstitions.

Eorl.

Of his duties, I.P. 11.

Eucharist (Housel). See also Communion.

That a woman may not receive the eucharist in morbo suo menstruali, Th. P. xvii. 8.; Ecg. C. 28. 29.; Ecg. P. IV. 40. False witnesses not admitted to the eucharist, Th. P. xxii. 1.;

Ecg. P. II. 26.

Eucharist - continued.

If a bishop, priest, &c., through drunkenness, gluttony, or infirmity, vomit up the eucharist, Th. P. xxvi. 4. xxxix. 18-20.; Ecg. P. IV. 45. 46.

If the eucharist be thrown into the fire or river, Th. P. xxvi. 5.

If dogs, &c. devour the eucharist vomited up, Ib. 6. xxxix. 19.; Th. C. p. 75.

Various penances for carelessness with regard to the eucharist, Th. P. xxxix. 11.12.; Th. C. p. 75.; Ecg. C. 10.; Ecg. P. IV. 42-51. 54.; Ælf. C. 36.

That the Greeks go to housel every Sunday, Th. P. xLIV. 1.; Ecg. C. 35.

That a woman may receive the eucharist under a black veil, Th. P. xlvi.; Th. C. p. 65.; Ecg. C. 37.

The eucharist not to be received at the hands of a priest who orationes vel lectiones implere non potest, Th. P. XLVIII. 13.

Bread and wine with water only to be offered, Ib. 17.

If any one receive the eucharist after food, Th.C. p. 76.; Edg. C. 36.

If a bishop or priest, having broken the offering, do not communicate, Th. C. p. 77.

If any enter the church and do not partake of the eucharist, Ib. p. 77.

That a priest always have the eucharist ready, Ecg. E. 22.; Edg. C. 38.

That the priests see that the bread, wine, &c., be pure and clean, Ecg. E. 100.; Edg. C. 39.

That a woman may go to housel before childbirth, Ecg. C. 31.

If any one go not to housel, Ib. 35.
Of the Greek and Roman custom with regard to women adminis-

of the Greek and Roman custom with regard to women administering the sacrifice, Ib. 37.

If a priest neglect the housel, Edg. C. 38.; N. P. L. 17.; Ælf. C. 36.

That a priest taste the housel, Edg. C. 40.

If a priest hallow housel in a wooden chalice, Ib. 41.; N. P. L. 15.; Ælf. C. 22.; Ælf. P. 45.

Of housel for the sick, Edg. C. 65.; Ælf. C. 31.; Ælf. E. 3.

Of the housel vessels, I. P. 18.

If the housel be mouldy, or lost, &c., and of that hallowed on Easter-day, Ælf. C. 36.

Not to be hallowed on Good Friday, Ib. 36.

Of baking the oblation, and of the wine, Ib. 36.; E. I. 5.

Of the housel for children, Ælf. E. 5.

Eunuch, Th.C. p. 77.

Excommunication.

If one excommunicated die, Th. P. xli. 5.

If any one obtain orders for money, Th. C. p. 77.

Exorcista, Th. C. p. 73.; Ecg. E. 84.; Ecg. C. 42.; Ælf. C. 13.; Ælf. P. 34.

F.

Fær-bena, N.P.L. 50.

False Witness, see Perjury.

Fasting (Æ-fæsten), Th. P. xxxII.; Th. C. p. 61. 65-70. passim.; Ecg. D. xvI.; Ecg. C. 1. 2. passim. 37.; Ecg. P. IV. 60-62. 65.; Ecg. P. A. 13. 21. 22. 23.; Edg. C. 24. 49.; Pen. 18.; N. P. L. 11. 57.; I. P. 22.; E. I. 37-40. 42. 43.

Father and Mother.

If any one slay father or mother, Th. P. 111. 1. 2.

If any one expel his father or mother, Th. P. xxIII. 15.; Th. C. p. 79.

If any one dishonour or strike father or mother, Th. C. p. 72.

If a mother place her infant near the fire, and it be scalded to death, Ib. p. 76.

Fester-man, N. P. L. 2.

Firht, N. P. L. 48. See Superstitions.

Folkmote.

Forbidden to be held on Sundays, Edg. C. 19.; N. P. L. 55. 56. Food.

If a boy eat of an animal that has died naturally, Th. P. XXIII. 6.; Ecg. C. 15.

Various prohibitions, and observances with regard to animals used for food, &c., Th. P. xxxi. & notes; Ecg. C. 38. 39. 40.; Ecg. P. IV. 27-31. 38. 41. 57. 59.; Ecg. P. A. 10.

If a christian eat or drink with heathens, Th. P. xLII. 2.

If a priest eat unclean meats, or vegetables cooked with flesh, Th. C. p. 77.

If any one eat that which has been stolen, lb. p. 84.

If any one eat the blood of any animal, Ib. p. 84.

That monks may not eat flesh, Ecg. E. 70.

Fornication, see Adultery.

Friday (Good).

Housel not to be hallowed on, Ælf. C. 36.

Frið-geard, N. P. L. 54. See Superstitions.

Frið-splot, Edg. C. 16. See Superstitions.

Frum-talu, N. P. L. 67.

Fulloc, N. P. L. 67.

G.

Galdor, Galdor-cræft, Ecg. C. 29.; Ecg. P. IV. 18.; Edg. C. 16. & n.2. See Superstitions.

Gallows.

Of those who are hanged for their crimes, Th. C. p. 73.

Gaming, see Hunting, Hawking, &c.

Germany, Th. P. 1.

Gifu (Hlafords riht), N.P.L. 67.

Gildscipe, Edg. C. 9.

Gluttony, see Drunkenness.

Greeks and Romans.

Their usage with regard to Sunday, communion, &c., Th. P. XXXVIII. 6. 7. 11. XLIV. 1-3. XLVIII. 13. n. 1.; Ecg. C. 35. with regard to Christmas, Th. P. xxxvIII. 14. n.3.; Ecg.C. 37. n. 4.

Deacons among the Greeks do not break the holy bread, nor say the collect, nor 'Dominus vobiscum,' nor the 'completa,' Th. P. xLVIII. 13. n. 1.; Ecg. C. 35.

Of mass, &c. at ordination, Th. C. p. 63. Of the hours for mass ante Natalem Domini, Ib. p. 77.

That the Greeks confess to God alone, Ib. p. 85.

That a woman may administer the eucharist, Ecg. C. 37.

Laws of consanguinity, Ecg. P. IV. 39. & n. 1.

H.

Had-bryce (Ordinis Infractio), E. B. 1-12.

Háligdóm, Edg. C. 42.

Hawking, see Hunting, Hawking, &c.

Heathens and Heathenism.

Heathenism of various kinds forbidden, Th. P. xxvII. 1-26.

If any christian celebrate a festival with heathens, or eat and drink with them, Th. P. xLII. 2.

If any christian sell another to heathens, Ib. 3.

Of communion with, and various precepts concerning them, Th. P. xxx.

Here-toga.

Of his duties, I.P. 11.

Hlytas, Ecg. P. IV. 19. See Superstitions.

Holy Water, Th. P. xLVIII. 15. 16.

Homicide, see Slaying.

Hospital (Xenodochium — Hospitiolum).

If any one embezzle the revenues of a hospital, Th. C. p. 80. That bishops and priests have a hospitiolum not far from the church, Ecg. E. 26.

Hours (canonical), Edg. C. 45.; N. P. L. 36.; Ælf. C. 19. 36.; Ælf. P.

Housel, see Eucharist.

Hundred, Ecg. P. II. 3.

If a bishop, priest, deacon, &c. practise hunting, Th. P. xxxII. 4.; Ecg. P. IV. 32.; Edg. C. 64.

Husband and Wife. See also Marriage.

- If any one involuntarily slay husband or wife, Th. P. 111. 2. 3. 4. That a woman may not leave her husband, though he commit adultery, Th. P. xvi. 5. n. 4.; Ecg. C. 31.
- If the wife commit adultery, Th. P. xvi. 5. n. 4. xix. 17. 18. 19. 32.; Th. C. p. 317.; Ecg. E. 123.; Ecg. C. 14. 19. 33.; Ecg. P. IV. 68.; Ecg. P. A. 12.
- Si quis cum uxore retro, vel in tergo nupserit, Th. P. xvi. 19.; Ecg. C. 21.
- A woman may not make a vow without her husband's consent, Th. P. xvi. 23.
- Si mulier dicit virum se cum eo nubere non posse, Th. P. xvi. 28.; Ecg. C. 20.
- Si semen viri in cibum miserit, Th. P. xvi. 30.; Ecg. C. 29. Si sanguinem viri gustaverit, Th. P. xvi. 31.; Ecg. C. 16. 31.
- Days on which husband and wife should abstain from each other, Th. P. xvII. 1-7.; Th. C. p. 72. 81 bis; Ecg. E. 108. 111.; Ecg. C. 21. 25. 28.; Edg. C. 25.; E. I. 43.
- Si quis cum uxore sua in consuetudine menstrua coiverit, Th. P. xvII. 5. 8. n. 3.; Ecg. C. 16.
- If husband or wife offer bread on a Sunday or saint's day, Th. P. xvII. 11.
- If a man dismiss his wife and take another's, Th. P. xIX. 2.
- If a single man defile another's wife, Th. P. xix. 8.; Th. C. p. 82.; Ecg. C. 39. n. 3.
- If a man or woman commit adultery, various cases, Th. P. xix. 4-8. 12. n. 2. 17. 32.; Th. C. p. 82.; Ecg. C. 14. 19.; Ecg. P. II. 7. 10. IV. 68.; M. I. P. 15. 18.
- If a woman leave her husband and return, Th. P. xix. 9.: Ecg. P. A. 12.
- If a man dismiss his wife and take another, Ib. 6. 12.; Ecg. P. II. 8.; M. I. P. 16.; N. P. L. 64. 65.
- If a woman persuade another's husband to sleep with her, Th. P. XIX. 10.
- If a wife or husband die, Th. P. xix. 13-16.; Ecg. E. 118.; Ecg. C. 19.
- If husband or wife wish to separate, Th. P. XIX 20.; Ecg. D. 13.: Ecg. E. 120. 121.; Ecg. C. 25.; Ecg. P. IV. 55.
- If a heathen leave a heathen wife in her own power after their baptism, Th. P. XIX. 20. n. 6.; Ecg. C. 17.
- If a woman contrary to her vow take a second husband, Th. P. xix. 21.; Ecg. C. 33.
- If a woman leave her husband and will not return, Th. P. x1x. 23.; Ecg. C. 26.
- If a wife or husband be carried into captivity, Th. P. xIX. 24.; Ecg. E. 125.; Ecg. C. 26. 27.
- Ut maritus lavet se post coitum, Th. P. xIX. 24. n. 1.; Ecg. C. 26. Maritus non debet uxorem nudam videre, Th. P. xix. 25.; Ecg. C.
- If a man will not part from his adulterous wife, Th. P. xIX. 31.
- If a man have a wife and a concubine, Ib. 33.; Th. C. p. 82.; Ecg. P. II. 9.; M. I. P. 17.
- If a man sin with his relative's wife, Th. P. xx. 22.
- A man may answer for his wife at baptism, and vice versa, Th. P. XLVIII. 23.; Ecg. C. 18.

Husband and Wife - continued.

That persons of gentle birth should marry with each other, Th. C. p. 76.

That a man may not communicate with his adulterous wife, Ib. p. 77.

De eo qui conjuge non cupidine voluntatis, sed creandorum liberorum gratia, utitur, Ecg. E. 112.

Quod mulier corporis sui potestatem non habet, sed vir; et vice versa, Ib. 116.

That a man or woman, after separation, may not marry, during the other's life, Ib. 122.

If a woman leave her husband through contempt, Ib. 124.

Hwata, Hwatunga, Ecg. P. II. 23. IV. 19.; Edg. C. 16. See Superstitions.

I.

Idola-wurping, N. P. L. 48. See Superstitions.

Imperator, Ecg. E. 7.

Incest.

If a man marry a nun, Th. P. xx. 1.; Ecg. E. 131. 136.; Ecg. P. II. 19.

If a man marry or sin with his commatrem spiritalem, &c. Th. P. xx. 2. 18.; Ecg. E. 131. 134.

Various cases of incest, Th. P. xx. 3-9. 13-26.; Th. C. p. 83.; Ecg. E. 128-131. 134.; Ecg. P. IV. 68.

If any one having a lawful wife, lie with her daughter, Th. P. xx. 10.

If a man defile the sister of a woman betrothed to him, Ib. 11. If a woman marry two brothers, Ib. 12.; Ecg. P. II. 11.; M. I. P. 19. 20.

Si quis cum matre, sorore, vel filia coiverit, Th. P. xx. 13. 14.; Ecg. C. 14.; Ecg. P. II. 18. IV. 68.

If a man marry his sister or mother, Th. C. p. 83.

Of the degrees of consanguinity, and indulgence to the English converts, Ecg. E. 193. 139. 140.

Infirm and Sick.

That the infirm may take food whenever they desire it, Th. P. xxxII. 2.

If the sick desire communion before penitence, Th. P. xli. 4. Of housel for the sick, Edg. C. 65.; Ælf. C. 31.; Ælf. E. 3. How the sick may redeem his fast, Pen. 18.

Ink (Blæc), Edg. C. 3.

Insanity.

If an insane person commit suicide, Th. C. p. 65.

That the exorcist daily lay his hands on those possessed, Ecg. E. 84.

Si qui palam arrepti sunt, Ib. 85.

If an insane person commit homicide, Ecg. P. A. 29.

Inwerc, Ecg. C. xxxvIII. n. 8.

Isidore (St.), Ecg. P. I. 2. 6.

Istriones.

Not to be denied reconciliation, Th. P. XLI. 6. To be treated with all charity, Ecg. E. 83.

J.

James (St.), Ecg. P. I. 15.

Jews.

If a christian woman fornicate with jews, Th. P. xvi. 35. If any one celebrate Easter with the jews, Th.P. xxx. 4. If any christian accept unleavened bread, or any food or drink from jews, Th. P. xLII. 1. If any christian sell another to jews, Ib. 3.; Ecg. E. 150.

Mass not to be celebrated where jews are buried, Th. P. XLVII. 1.

That no christian turn jew, Ecg. E. 147. 150.

K.

King — Kingdom — Throne.

If a king has the land of another king, he may give for his soul, Th. C. p. 65.; Ecg. P. A. 14. Of a king, kingdom, &c., I. P. 2-4.

Those who have previously eaten not admitted to the kiss, Th. C. p. 76.

Those who were not at the preceding mass not admitted to the kiss before the eucharist, Ecg. C. 35.

L.

Lah-ceap, N. P. L. 67.

Lah-slit, N. P. L. 20-22. 51-54.

Land-ceap, N. P. L. 67.

Lang Frige-dæg, see Good Friday.

Latrocinium, see Theft.

Layman.

If any one slay a layman, Th. P. 111. 9. xxi. 11.; Ecg. E. 163.; Ecg. P. II. 1.; Ecg. P. A. 20. 26.

si cum laica fornicatus fuerit, Th. P. xvi. 5.6.7.; Ecg. C.

si laicus cum pecude, Th. P. xv1. 7. 34.

si inter femora vel crura, Ib. s. 9.; Th. C. p. 83. si cum vidua aut puella, Th. P. xvi. 11.

si cum jumento, Ib. 12.

si cum sanctimoniali, Th. P. xvi. 14. 26. xviii. 19.; Th. C. p. 82.; Ecg. E. 134.; Ecg. C. 14.; N. P. L. 63. si cum meretrice, Th. P. xvi. 25.

si cum multis feminis, Ib. 26.

Layman - continued.

If a layman defile another's wife, Th. P. xvi. 26. xix. 12. n. 2.; Ecg. C. 14.

If he dismiss his wife and take another's, Th. P. xix. 2.

If he strike any one with a staff or stone, and shed blood, Th. P. xxi. 23. 38.

If he cut off virilia sua, Ib. 29. 30.

If he wound or disable another in anger, Ib. 37.

If he steal a monk from his cloister, or induce him to steal, Th. P. xxIII. 12.; Ecg. P. A. 18.

If a layman hoard up superfluous wealth, Th. P. xxv. 7.

If a layman vomit up the eucharist, through drunkenness or gluttony, Th. P. xxvi. 4.

If a layman communicate with heretics, Th. P. xxx. 1.

Restrictions on, with regard to church service, Th. P. XLVIII. 14. His testimony against a clerk not admissible, Ecg. E. 144.

Of a layman's duty in general, I.P. 22.

Lector, Th. C. p. 73.; Ecg. C. 42.; Ælf. C. 12.; Ælf. P. 34.

Lenocinium, Th. C. p. 79.

Lent, see Quadragesima.

Leob (Song), Edg. C. 18.

Lîc-wiglung, Edg. C. 16. See Superstitions.

M.

Magic and Enchantment, see Superstitions.

Maiming, see Wounding, Beating, and Maiming.

Malediction and Detraction, Th. P. xxx. 1-9.; Th. C. p. 79.

Man-weorpung, Edg. C. 16. See Superstitions.

Marriage. See also Husband and Wife.

If a man and woman vow chastity, and afterwards marry, Th. P. xvi. 21.; Ecg. C. 19.

That the parents of a betrothed female may not give her to

another, Th. P. xvi. 29.; Ecg. C. 20.; Ecg. P. II. 12. If two slaves marry, Th. P. xvi. 32.; Ecg. E. 126.; Ecg. C. 25.

If a man marry a slave (ancilla), Th. P. xvi. 33.; Ecg. C. 25. Times for married people to observe continence, Th. P. xvii. 1-7. 11.; Ecg. E. 111.; Ecg. C. 25. 28.; Ecg. P. II. 21.

1-7. 11.; Ecg. E. 111.; Ecg. C. 25. 28.; Ecg. P. 11. 21. Conduct to be observed on taking home a wife, Th. P. xv11. 1. 2.; Ecg. P. II. 21.

That the priest at the first marriage celebrate mass, and give the benediction, Th. P. xvII. 9.; I. P. 22.

That at the second marriage, the priest ought not to dine, Th. P. xvii. 10.; Ecg. E. 91.; Ælf. C. 9.; I. P. 22.

If a priest uxorem extraneam duxerit, Th. P. xvIII. 6.

If a cleric, &c. return to a secular life and marry, Ib. 16.

That a christian should not marry oftener than twice, Th. P. XIX. 13-16.; Ecg. P. II. 20.: I. P. 22.

A second and third marriage, penance for, &c., Th. P. xix. 15. 16.; Ecg. E. 32.; Ecg. P. A. 1.; Ælf. P. 43.

Marriage --- continued.

If it be desirable to dissolve a marriage, Th. P. XIX. 20.; Ecg. D. 13.; Ecg. E. 120. 121.; Ecg. C. 25.; Ecg. P. IV. 55.

Two brothers may marry two sisters, and father and son mother and daughter, Th. P. xix. 24. n. 1.; Ecg. C. 25.

If a man marry his relation, Th. P. xix. 24. n. l. xx. 2. 3. 7.; Ecg. C. 26.; Ecg. P. II. 18.; N. P. L. 61.

Marriage in the fifth degree of kindred allowed, Th. P. XIX. 24.

n. 1.; Ecg. C. 28.; Ecg. P. IV. 39.; N. P. L. 61. If a man marry a nun, Th. P. xx. 1.; Ecg. E. 131. 136.; Ecg. P.

. If a priest or deacon marry, Th. C. p. 74.; Ecg. P. III. 1.; I. P.

If a man marry a widow, or divorced woman, Th.C. p. 77.; Ecg. E. 32.; Ælf. C. 8.; Ælf. P. 42.

That marriage may take place before sixteen, Th. C. p. 78.

If any one having vowed chastity marry, Ib. p. 80.

If a monk marry a laywoman, Ib. p. 83.

Sponsus et sponsa, cum benedicendi sunt, eadem nocte in virginitate permaneant, Ecg. E. 9.

That a legal marriage may not be dissolved without mutual consent, Ib. 120. 121.

If a man and woman be unlawfully married, Ecg. C. 25.

If a female be betrothed, and afterwards led into captivity, Ecg. P. II. 15.

That no man have more than one wife, N. P. L. 61.

Mass (Missa).

If a bishop command his cleric to say mass for heretics, Th. P.

If any one spill the cup at mass, Th. P. xxxix. 11.; Ecg. P. IV. 53. Of mass for the dead, Th. P. xLv. 1. 4. 10-15.; Ecg. C. 9. n. 2.

That mass may be celebrated in a church, where the faithful and pious are buried, but not where heretics and jews are buried, Th. P. xLVII. 1.

On every altar two masses a day may be said, Th. P. XLVIII. 4.; Ecg. C. 35.

Of the vestments, Th. P. XLVIII. 5.; Ecg. C. 9.; Edg. C. 33. That no one depart before the words: 'Ita missa est,' Th. P. XLVIII. 18.

Of mass at the ordination of a bishop, priest, deacon, or monk, Th. C. p. 63.

May not be performed for a suicide, Ib. p. 65.

Of the hours of mass according to the Greeks and Romans, Ib.

That no priest celebrate mass, except in a consecrated church, Ecg. E. 9. 53.; Edg. C. 30.; N. P. L. 13.; Ælf. C. 25.; E. I.

One mass in a day sufficient, Ecg. E. 55.

That the priest have all things (bread, wine, books, vestments, &c.) fitting, Ecg. E. 100.; Edg. C. 3. 33. 39.; Ælf. C. 21. 22.; Ælf. P. 44.; E. I. 4.

That no priest celebrate mass except on a hallowed altar, Edg. C. 31.; N. P. L. 14.

That a priest may not celebrate mass alone, Edg. C. 35.; E. I. 7.

Mass - continued.

If a priest in one day celebrate mass oftener than thrice, Edg. C. 37.; N. P. L. 18.

That the priest always taste the housel, Edg. C. 40.

That the chalice be of molten metal, Edg. C. 41.; Ælf. C. 22.

If a priest celebrate mass without wine, N. P. L. 16.

Mass when established, Ælf. C. 5.

Of the mass 'contra paganos,' Ib. 36.

May not be celebrated in the house of a layman, Ælf. E. 6.

In the army a tent to be appropriated to the celebration of mass, E. I. 11.

That private mass do not obstruct the public mass, Ib. 45.

Meretrix, see Adultery.

Mollis (Bædling), Th. P. xxvIII. 3.; Ecg. P. IV. 68.

Monastery (Mynster).

That the lord of a monastery may not transfer the land, Th. C. p. 64.; Ecg. P. A. 25.

If any one remove his monastery, Th. C. p. 64.; Ecg. P. A. 26. If a monastery, on the death of the superior, be left in the hands of two persons, Ecg. D. 11.

If any one slay another within the pale of a monastery, Ecg. E. 79.

Monk. See also Priest.

Si fornicationem quærat et non inveniat, Th. P. xvIII. 16.

If a monk, after taking the vow, return to the world, or marry, Ib. 16.

If a monk desire a woman, Ib. 18.

A boy after fifteen may become a monk, Ib. xix. 26.

If any one take a monk from his cloister, or lead him to theft, Ib. xxIII. 12.; Ecg. P. A. 18.

Of mass for a dead monk, Th. P. xLv. 10-12.; Ecg. C. 36.

Various regulations concerning monks, Th. C. p. 64.; Ecg. E. 63. 65. 66.; Ecg. P. A. 15.; I. P. 14.

Si monachus obtrectaverit mulieris vel puellæ pectus, &c. Th. C. p. 71.

That monks do not wander from place to place, Ib. p. 78.; Ecg. E. 67. 158.

If a monk marry a lay woman, Th. C. p. 83.

Of a monk who deserts his church, Ecg. D. 6. 7.; Ecg. P. A. 11.; Edg. C. 8.; N. P. L. 28.

If a monk commit crime, whether punishment belongs to the laity, Ecg. D. s.; Edg. C. 7.; N. P. L. 1.

If a monk claim property through secular means, Ecg. D. 10.

If a layman slay a monk, Ib. 12.

If a layman declare a monk obnoxious, on account of acts perpetrated under a lay habit, Ib. 14.; Ecg. P. III. 2.

If any one harbour the monk of a bishop, Ecg. E. 61.

If a monk violate his rule, or be parvulorum incestuose, aut adolescentium consectator, Ib. 68.

That monks may not eat flesh, Ib. 70.

If a monk break his vow, Ecg. P. III. 11.

Of the duties of monks, I. P. 14-16, 18-21. 23.

Mother, see Father and Mother.

Mynchen, see Nun.

N.

Nun (Mynchen - Sanctimonialis).

If a nun fornicate, Th. P. xvi. 14. 26. xviii. 2. 3. 19.; Th. C. p. 77. 83.; Ecg. C. 13. 14.; Ecg. P. IV. 9.; N. P. L. 63.

If a woman, after taking the vow, return to secular life, Th. P. xvIII. 16.; Ecg. P. II. 16.; M. I. P. 25.

Si sanctimonialis cum sanctimoniali vel laica per aliquam machinam fornicaverit, Th. P. xvIII. 20.; Th. C. p. 83.

If any one marry a nun, Th. P. xx. 1.; Ecg. E. 131. 136.; Ecg. P. II. 19.

If a nun claim property through secular means, Ecg. D. 10. Regulations respecting the sacrum velamen, Ecg. E. 92. That no one be consecrated before twenty-five, Ib. 93.

If a nun break her vow, Ecg. P. III. 11.

If any one would fornicate with a nun, and she refuse, Ecg. P. IV. 10.; M. I. P. 31.

Of the duties of 'mynchens,' I. P. 14-16. 18-21. 23.

О.

Oaths.

Of the oath of an ingenuus, if accused, Th. C. p. 75. Of the value of a bishop's, priest's, &c. oath, Ecg. D. 1. That a priest abstain from oaths, Ecg. E. 19.; Edg. C. 59. Forbidden on fasts and festivals, Edg. C. 24. Of a thane's fore-oath, Ib. 63.

Ordeal.

Forbidden on fasts and festivals, Edg. C. 24. Of a priest attending an ordeal, Ib. 62. If a priest misconduct an ordeal, N. P. L. 39.

Ordination.

If any one be ordained by heretics, Th. P. xxx. 2. Various observances at ordination, Th. C. p. 63.; Ecg. E. 51. 52. Of those ordained by Scottish or British bishops, Th. C. p. 64.; Ecg. P. A. 5.

That no one obtain orders for money, Th. C. p. 77.

Ordinis Infractio (Had-bryce), E. B. 1-12.

Ostiarius, Th. C. p. 73.; Ecg. C. 42.; Ælf. C. 11.; Ælf. P. 34.

P.

Parricide, Th. P. 111. 1. 2. XXI. 18.; Th. C. p. 82.; Ecg. C. 24.

Pater noster and Creed, Ecg. E. 6.; Edg. C. 17. 22.; Ælf. C. 23.; E. I. 22. 23. 29.

Paul (St.), Ecg. P. III. 12. 15.

Pedisequa, see Servus and Ancilla.

Penitence, Penitent, and Penance. Of penance in Germany and Saxony, Th. P. 1. Regulations of penance, according to the rank of the penitent, Ťh. P. 11. Of those who have perpetrated numerous crimes, Th. P. IV. Penitents not to be reconciled without the bishop's sanction, Th. P. v. vi. If the sick before penitence desire communion, Th. P. xli. 4. Of penitence to the sick and dying, Th. P. XLIII. 1. L.; Ecg. E. 20.; Edg. C. 65.; N. P. L. 8. That penitents may not communicate before the completion of the penance, Th. P. xLIV. 4.; Ecg. E. 39. That a bishop or priest, not a deacon, may adjudge penance, Th. P. xLviii. 6. That penitence may not be refused to any one, Th. P. XLIX. L.; Ecg. E. 20. 40.; N. P. L. 8. Of various penances, Th. C. p. 61. Of penance on bread and water, &c., for various periods, Th. C. p. 66-72, passim. Of penance in capite jejunii, et capite Quadragesimæ, Ib. p. 70. That no bishop or priest receive another's penitent, Ib. p. 70. A widow's and a virgin's penance alike, Th. C. p. 76; Ecg. C. 31.; Ecg. P. IV. 68. Of penance and penitence in general, Ecg. P. I. 1-15.; Pen. Of powerful men's penance, P.M. 1-4. Perjury and False Witness. If any one commit perjury,—various cases, Th. P. xvi. 20. xxiv. 1-9.; Th. C. p. 84.; Ecg. C. 84.; Ecg. P. II. 24. If a bishop, priest, &c. commit perjury, &c., Th. P. xvIII. 11. xxIV. 1.; Th. C. p. 74.; Ecg. E. 33.; Ecg. P. II. 24. III. 3.; Edg. C. 61. If any one give false witness,—various cases, Th. P. xxII. 1-7.; Ecg. P. II. 26. IV. 68. If any one suspect that he is led to perjury, and nevertheless swear, Th. C. p. 78.; Ecg. C. 34. That priests correct perjury, &c., E.I. 26. 27. Plough-alms, Edg. C. 54. Poison, Ecg. P. IV. 16.; M. I. P. 37. Prayer. To pray standing, in reverence to God, Th. C. p. 78. Priest, Deacon and Subdeacon, Clerk, Monk. If any one slay a priest, Th. P. 111.6.11. xx1.9.10.; Th. C. p. 72.; Ecg. C. 23.; Ecg. P. IV. 6. 68.; M. I. P. 27.; N. P. L. 24. If any one slay a deacon, Th. P. 111. 7. xxi. 10. If any one slay a subdeacon, Th. P. 111. 8. Of a priest's duty at a first and a second marriage, Th. P. xvII. 9. 10.; Ecg. E. 91.; I. P. 22.; Ælf. C. 9. If a priest, deacon, &c. fornicate, Th. P. xvIII. 1. 11. 12. 14.; Th. C. p. 74. 83. 85.; Ecg. E. 33. 69.; Ecg. C. 4. 12. 13.; Ecg. P. III. 1. IV. 7.; M. I. P. 28.; Ælf. P. 42. If a priest, deacon, &c. fornicate with nuns, Th. P. xvIII. 2. 13.;

Th. C. p. 85.; M. I. P. 30.

Priest, &c. - continued.

- If a priest, deacon, &c. beget children, Th. P. xvIII. 3. 13.; Th. C. p. 85.; Ecg. C. 12.
- If a priest, deacon, &c. commit adultery, Th. P. xvIII. 4. 6. 15.; Th. C. p. 82, 83.; Ecg. E. 69.; M. I. P. 28.
- If a priest who had a wife have connexion with her after entering the priesthood, Th. P. xvIII. 5.; Ecg. P. IV. 8.; M. I. P. 29.
- If a priest uxorem extraneam duxerit, Th. P. xvIII. 6.
- If a priest, deacon, &c. fornicate with laywomen, Ib. 7. 14.; Th.C. p. 82. 83. 85.
- If a priest, deacon, &c. slay children so begotten, Th. P. xvIII. 8.; Ecg. C. 12.
- If a priest, deacon, &c. cum quadrupede fornicentur, Th. P. xvIII. 9.
- If a priest, deacon, &c. fornicate with relatives, Ib. 10.
- If a priest, deacon, &c. commit perjury, Th. P. xvIII. 11. xxIV. 1.; Th. C. p. 74.; Ecg. E. 33.; Ecg. P. II. 24. III. 3.; Edg. C. 61.
- If a priest, &c. commit a theft, Th. P. xvIII. 11. xxIII. 2.; Th. C. p. 74.; Ecg. E. 33. 69.; Ecg. C. 11.; Ecg. P. II. 25.
- If a clerk, after taking the vow, return to the world, or marry, Th. P. xviii. 16.
- Presbyter, &c. quærens fornicationem, si non inveniat, Ib. 17.
- If a clerk desire a woman, Ib. 18.
- If a clerk, deacon, or priest commit homicide, Th. P. xxi. 16. 17. 22.; Th. C. p. 82.; Ecg. E. 33. 162. 163.; Ecg. P. II. 1. III. 3. IV. 2-4.; M. I. P. 7. 9. 26.
- If a clerk, deacon, or priest go forth to slay, Th. P. xxi. 26.
- If a clerk, deacon, or priest strike a man, Ib. 27.
- If a clerk, deacon, or priest overlay his child, Ib. 36.
- If a clerk, deacon, or priest wound or disable a man, Ib. 37.
- If a clergyman have a superfluity, that he give it to the poor, Th. P. xxv. 6.
- If a clergyman hoard, Ib. 7.
- If a priest, deacon, &c. be addicted to drunkenness, Th. P. xxvi. 2.; Ecg. E. 14.; Ecg. P. IV. 33.; Edg. C. 57. 58.; N. P. L. 41.; Ælf. C. 29.; Ælf. P. 49.; E. I. 13.
- If a priest, deacon, &c. vomit through drunkenness, Th. P. xxvi. 3. 13.; Ecg. P. IV. 34. 35.; Ecg. P. A. 32.
- If a priest, deacon, &c., through drunkenness, or gluttony, vomit up the eucharist, Th. P. xxvi. 4.
 - if through infirmity, Ib. 4. 8.
- If priests become intoxicated unwittingly, or through carelessness, Ib. 9. 10.; Th. C. p. 79.
- If a priest, deacon, &c. drink so much that he cannot sing, Th. P. xxvi. 12.
- If a clerk, subdeacon, &c., from repletion, feel distension and pain to vomiting, Ib. 13. 14.
- If a clerk, from gluttony, take food before the canonical hour, Ib. 15.
- Clergymen may not practise magic and enchantments, Th. P. xxvII. 8. 10.; Ecg. P. IV. 18.; M. I. P. 39.
- If a priest, deacon, &c. commit an unnatural crime, Th. P. xxvIII. 2. 16.; Th. C. p. 85.

Priest, &c. - continued.

- Si sacerdos coinquinatur, &c., Th. P. xxvIII. 19-31.; Ecg. C. 5.; Ecg. P. IV. 56.
- If any one be ordained by heretics, Th. P. xxx. 2.
- If a priest, in reciting the names of the dead, mention a heretic, Ib. 12.
- If a priest, deacon, &c. practise hunting, hawking, and gaming, Th. P. xxxII. 4.; Ecg. P. IV. 32.; Edg. C. 64.
- If a priest have not been baptized, Th. P. xxxvIII. 5. xLVIII. 13. n. l.; Ecg. C. 7.
- If a priest pour out his chalice after mass, or eat before the eucharist, Th. P. xxxix. 11. 12.; Ecg. C. 10.
- If a priest, through ignorance, grant communion to an excommunicated person, Th. P. xxxix. 17.
- If a priest grant communion to a criminal before reconciliation, Ib. 20.
- If a deacon at the offering forget the cloth, Ib. 21.
- If a priest lose his chrism, vel creatura, i. e. thus, sal, &c., Th. P. XL. 1. 2.; Ecg. P. IV. 52.
- Of penitence to the sick and dying, Th. P. xLIII. 1. L.; Ecg. E. 20.; Edg. C. 65.; N. P. L. 8.
- A priest may not refuse baptism, Th. P. xLIII. 2.; Ecg. E. 11. 40.; Ecg. C. 6.; Edg. C. 15.; N. P. L. 8.; Ælf. C. 26.; E. I. 17.
- That a priest may not divulge the sins of a bishop, Th. P. XLVIII. 3. n. s.; Ecg. P. A. 2.
- That a priest may celebrate two masses on one altar, Th. P. XLVIII. 4.; Ecg. C. 35.
- If a priest chant the responsorium, and, if he read the gospel, of his cappa, Th. P. XLVIII. 5.; Ecg. C. 8.; Edg. C. 33.
- That a priest (not a deacon) may adjudge penance, Th. P. XLVIII. 6.
- That deacons (not subdeacons) may baptize, and bless food and drink, Ib. 7. 8.
- That subdeacons have no place in the deaconry, Ib. 9.
- That a deacon may not sit in the presence of priests, Ib. 10. nor, among the Greeks, say 'Dominus vobiscum,' &c., Ib. 12. 13. n. l.; Ecg. C. 35.
- That a priest, qui orationes vel lectiones implere non potest, may not administer the eucharist, Th. P. xlviii. 13.
- If a fornicating priest baptize, Ib. 13. n. 1.
- If a priest do not baptize according to the precept, or immerge thrice, Ib. 19. 20.
- Of mass, &c. at the ordination of a priest or deacon, Th. C. p. 63. Of the tonsure, Th. C. p. 64.; Ecg. E. 152. 153.; Ecg. P. A. 5.; Edg. C. 47.; N. P. L. 34. 40.
- Of those ordained by Scottish or British bishops, Th. C. p. 64.; Ecg. P. A. 5.
- That no priest receive another's penitent, Th. C. p. 70.
- Si sacerdos obtrectaverit puellæ aut mulieris pectus, &c., Ib. p. 71.
- If a priest obtain a church by money, Ib. p. 73.; Ecg. E. 44.; N. P. L. 2.
- If any one expel a priest regularly ordained from his church, Th. C. p. 73.; N. P. L. 22.

Priest, &c .- continued.

That priests be not appointed to, or expelled from, their church without the bishop's authority, Th. C. p. 73. 78.; Ecg. E. 23. 50. 57.

That no priest may accuse another higher than himself, and of the number of witnesses required against a priest, Th. C. p. 73.; Ecg. C. 42.

If the bishop find a runaway priest, Th. C. p. 73.

Of the marriage of priests, Ib. p. 74.; Ecg. P. III. 1.; I. P. 23.

If any one injure a priest in atrio ecclesiæ, Th. C. p. 74.

Of men in orders guilty of hidden vices, Ib. p. 76.

If a priest, having broken the offering, do not communicate, Ib.

p. 77. That no one obtain orders for money, Ib. p. 77.

That a priest, deacon, &c. confess his sins, Ib. p. 77.

If a priest eat unclean meats, or vegetables cooked with flesh, Ib. p. 77.

Si presbyter, &c. fornicatus fuerit sicut sodomitæ, Ib. p. 78.

If a clerk slay his relation, Ib. p. 81.

If a priest or deacon sell any thing belonging to the church, Ib. p. 86.

Of a priest's or deacon's oath, Ecg. D. 1.

Whether priests and deacons can be witnesses to a last will, Ib. 2.

If a priest or deacon be accused without proof, how are they to be cleared? Ib. 3.

If they are found corrupt, how to be prevented from officiating?

Ib. 4.

If duties have been performed by a corrupt priest, Ib. 5.

Of a priest who deserts his church, Ib. 6.7.; Ecg. P. A. 11.; Edg. C. 8.; N. P. L. 28.

Whether priests may perform duty without the cognizance of the bishop of the place, Ecg. D. 9.

Of the price of blood, if a layman slay a clerk, Ib. 12.

Of crimes on account of which no one can be ordained, or, if already ordained, should be deposed, Ib. 15.

That no priest be ignorant of his canons, Ecg. E. procem.

That a priest construct (ædificet) his church with great care, Ecg. E. 1.

That no priest celebrate mass, except in a consecrated church, Ib. 9. 53.; Edg. C. 30.; N. P. L. 13.; Ælf. C. 25.; E. I. 11.

That every priest observe the proper times for baptism, Ecg. E. 10.

That no priest baptize, &c. for money, Ib. 12.; Ælf. C. 27.

That no priest leave the church to which he is ordained, Ecg. E.

If a priest or deacon have home a woman, Ecg. E. 15. 31.; Ecg. P. A. 28.; Ælf. C. 5. 6.; E. I. 12.

That no priest be a surety, Ecg. E. 16.

A clerk, &c. may not use arms, nor go to war, Ib. 17. 155. 160.; Ælf. C. 30.; Ælf. P. 50. 51.

That a priest do not frequent taverns, Ecg. E. 18.; E. I. 13. That a priest abstain from oaths, Ecg. E. 19.; Edg. C. 59.

That a priest anoint the sick, and have ready baptismal oil and unction, Ecg. E. 21.; Edg. C. 66.; Ælf. P. 47. 48.

```
Priest, &c. - continued.
```

That a priest always have the housel ready, Ecg. E. 22.; Edg. C. 38.

That no priest go out without chrism, Ecg. E. 43.

If clergymen are found conspiring against their bishops, Ib. 60.

If any one harbour the clerk of a bishop, Ib. 61.

If any one wound a priest or clerk, Ib. 62.; Ecg. P. IV. 23.; N. P. L. 23.

If a priest take away property belonging to the church, Ecg. E. 72.

If a clerk demolish a sepulchre, Ib. 75.

That no one be ordained deacon before he is twenty-five, Ib. 93.

That no one be ordained priest before he is thirty, Ib. 97.

That the priest have all things fitting (bread, wine, vestments, books, &c.), Ib. 100.; Edg. C. 3. 33. 39.; Ælf. C. 21. 22.; Ælf. P. 44.; E. I. 4.

If a priest appear in church without his colobium or cappa, and if he be not shaved in the Roman fashion, Ecg. E. 154.; Edg. C. 46. 47. (See also Tonsure.)

A clerk may not be a judge in the condemnation of a man, Ecg. E. 156. 157.

That all clerks able to work acquire a trade and book learning (litteras), Ib. 159.; Edg. C. 11.; E. I. 2. 3.

That there are two kinds of clerks, ecclesiastic, and acephali, Ecg. E. 160.

If a priest consent to a homicide, Ib. 163.

If a priest forfeit his order, Ecg. C. 8.

That a priest may not refuse confession, Ecg. P. I. 2. n. 2. 9. 10.; N. P. L. 8.

If a man in orders take a man's female servant (pedisequa) for illicit purposes, Ecg. P. II. 14.; M. I. P.23.

If a priest have been guilty of capital crimes before ordination, Ecg. P. III. 2.

Chastity enjoined to priests, Ib. 4-6.

If a priest lend money on usury, Ib. 7.

No priest or deacon may be reeves or stewards, Ib. 8.; Ælf. C. 34.; Ælf. P. 49.

No minister may go from house to house seeking converse with women, Ecg. P. III. 9.; Edg. C. 60.

That every priest instruct the people, Ecg. P. III. 13.; Edg. C. 52.; E. I. 28.

That every priest at the synod have his cleric, Edg. C. 4.

That no priest receive another's scholar, Ib. 10.

That no high-born priest despise one lower born, Ib. 13.

That no priest be a monger or merchant, Ib. 14.; Ælf. C. 30.; Ælf. P. 49.

That a priest forbid heathenish practices, Edg. C. 16. 65.; Ælf. C. 35.

That priests keep their churches with all due reverence, Edg. C. 26.

That no priest celebrate mass except on a hallowed altar, Ib. 31.; N. P. L. 14.

or without book, Edg. C. 32.

That a priest may not celebrate mass alone, Ib. 35.; E. I. 7.

Priest, &c. — continued.

If a priest in one day celebrate mass oftener than thrice, Edg. C. 37.: N. P. L. 18.

If a priest neglect the housel, Edg. C. 38.; N. P. L. 17.; Ælf. C.

If a priest hallow housel in a wooden chalice, Edg. C. 41.; N. P. L. 15.; Ælf. C. 22.; Ælf. P. 45.

Bishops and priests are of the same order, Edg. C. 50.; Ælf. C. 17.; Ælf. P. 35. 36.

That priests have schools at their houses, Edg. C. 51.; E. I. 20.

How a priest shall distribute alms, Edg. C. 55. 56.

That a priest so conduct himself as to be worthy of thane-right, Ib. 60. n. 5.

That no priest engaged in litigation be juror in an ordeal, Ib.

If a priest would clear himself towards a thane, Ib. 63.

A priest's duty when he fetches chrism, Ib. 67.

If any one wrong a priest, N. P. L. 1.

That no priest buy or accept another's church, Ib. 2.

If a priest sin, and against the bishop's, &c. command celebrate mass, Ib. 3. 7.

If a priest decline obedience to the bishop's, &c. edict, Ib. 4. 6. If he commit to laymen a doom belonging to ecclesiastics, Ib. 5.

If a priest at the proper time do not fetch chrism, Ib. 9.

If a priest misguide the people respecting festival or fast, Ib. 11.

If a priest obtain orders out of his district, Ib. 12.

If a priest celebrate mass without wine, Ib. 16.

Various regulations concerning priests, Ib. 25-47.; Ælf. C. passim; E. I. passim.

If a priest misconduct an ordeal, N. P. L. 39.

Of the duties of priests, I.P. 14-16. 18-21. 23.

Of the seven ecclesiastical degrees, Ælf. C. 10-17.; Ælf. P. 34.

That the priest explain the Gospel in English, Ælf. C. 23.

That no priest go from one minster to another, 1b. 28.

That a priest shrive sinners and administer housel, Ib. 31.

That a priest have one chrism for children, and another for the sick, Ib. 32.

That they gather not about a corpse like greedy ravens, Ib. 35.; Ælf. P. 49.

That a priest be not showy in his garments, &c., Ælf. C. 35.; Ælf. P. 49.

If a priest be slain in public warfare, Ælf. P. 50.

That no priest entice any one from another's parish, E. I. 14.

That no mass-priest corrupt another's priest, Ib. 15.

If a priest be guilty of bribery, Ib. 16.
If a priest put any of the holy vessels to worldly use, Ib. 18.

That priests may put their relatives to learning in any church,

That priests practise hospitality, Ib. 25.

That priests correct perjury and false witness, Ib. 26. 27.

Injunctions to priests who wish to sing before mass, Ib. 45.

Prison.

Food to be supplied to prisoners by the bishop (pontifex) from the ecclesiastical residence, Ecg. E. 107.

Puer, see Child.

Punishments.

Hanging, Th. C. p. 73. Scourging, Ecg. E. 69.

Cutting off the hand-Imprisonment-Exile, Ib. 74.

Q

Quadragesima.

If a pregnant woman desire to fast in Lent, Th. P. xxxII. 3. Si quis in Quadragesima ante Pascha nupserit, Ecg. E. 108.; E. I. 43.

Celebration of, Ecg. C. 37.; E. I. 37. 41.

Confession the week before, E. I. 36.

Communion to be frequent during, Ib. 41. 44.

R.

Ræpsas, Ælf. P. 44.

Rape.

If any one ravish (rapuerit) a widow or virgin, Th. P. xvi. 15. xx. 9.

Reeve (Gerefa).

Of his duties, I. P. 12.

Christ's scîr-gerefa, Ib. 25.

Relics, Ecg. E. I.

Remission of Sins, Ecg. C. procem.; Ecg. P. IV. 63.

Rome.

Of referring questions to Rome, Ecg. E. 49.

Rom-feoh, Edg. C. 54.; N. P. L. 57-59.

S.

Saints.

Veneration of, distinguished from the worship due to God, Th. P. XLVIII. 1. 2.

Sanctimonialis, see Nun.

Saxony, Th. P. 1.

Santa and Britana

Of ordination by, communion with, tonsure, &c., Th. C. p. 64.; Ecg. P. A. 5.

Sepulchre.

If any one violate a sepulchre, Th. P. xxIII. 14.; Ecg. E. 75. If a clerk be detected destroying sepulchres, Ecg. E. 75.

Servus and Ancilla. Pedisequa — Slavery.

If the master unite a servus and ancilla in matrimony, and one afterwards obtain freedom, the other not, Th. P. xvi. 32.; Ecg. E. 126.; Ecg. C. 25.

Servus and Ancilla - continued.

If any one marry an ancilla, Th. P. xvi. 33.; Ecg. C. 25.

Of the child of a pregnant woman made free, Th. P. xvi. 33. n. 1.; Ecg. C. 25.

If a married man cum ancilla sua dormierit, Th. P. xix. 7. 8.

That a man may sell his child of seven years as a slave. Th. P. xix. 28.; Ecg. C. 27.

That a person of thirteen years may make himself a slave. Th. P. xix. 29.

That a man may not take from his slave money gained by his industry, Ib. 30.; Ecg. P. A. 35.

If any one kill his slave, without cognizance of the judge, Th. P. xxi. 12.; Ecg. C. 22.; Ecg. P. II. 3.; M.I. P. 11.

If a woman scourge her female slave to death, Th. P. xxi. 13.; Ecg. P. II. 4.; M. I. P. 12.

If a slave by his master's command commit homicide, Th. P. xxi. 14.; Ecg. P. IV. 68.

If any one carry off another's servus into captivity, Th. P. xxIII.

If any christian sell another to jews or heathens, Th. P. xl11. 3. 4.; Ecg. E. 150.; Ecg. P. IV. 26.; M. I. P. 43.

If any christian steal another and sell him, Th. P. XLII. 5.; Th. C. p. 80.

If a servus slay a priest, Th. C. p. 72.

If a freeman, at the command of his lord, slay a slave, Ib. p. 81 If a married man have criminal intercourse with his ancilla, Ib.

p. 82.; Ecg. C. 14. If any one seduce another's female attendant (pedisequa), Ecg. P. II. 14.; M. I. P. 23.

Shaving, Edg. C. 20. See also Tonsure.

Sick, see Infirm.

Silvester (St.), Th. C. p. 73.; Ecg. C. 42.

Simony, Th. C. p. 73.; Ecg. E. 44.; N. P. L. 2.; E. I. 11.

Sister, see Brother and Sister.

Slave and Slavery, see Servus and Ancilla.

Slaying (Homicide).

If any one slay father, mother, brother, sister, wife, or child. Th. P. 111. 1-4. xxi. 18. 21.; Th. C. p. 82.; Ecg. C. 24.: Ecg. P. IV. 6.

If any one slay a bishop, priest, deacon, or subdeacon, Th. P. III. 5-8. 11. XXI. 9. 10.; Th. C. p. 72.; Ecg. C. 23.; Ecg. P. IV. 6. 68.; M. I. P. 27.; N. P. L. 24.

If any one slay a layman, and vice versa, Th. P. 111. 9. xx1. 11.; Ecg. E. 163.; M. I. P. 4. 26.

If any one slay a relation or a priest in temporal strife, Th. P. 111. 11.; Th. C. p. 81.; Ecg. P. IV. 6. if not related to him, Th. P. 111. 12.

If any one slay another through drunkenness, Ib. 13.; Th. C. p. 80.; Ecg. P. IV. 68.

If any one contending for justice commit homicide, Th. P. 111. 14.

if in resisting an attack, Ib. 15.

if against insurgents and rebels, Ib. 16

if in an incursion of pagans, Ib. 17.

Slaying — continued.

Of women who destroy their offspring, or cause abortion, Th. P. xvi. 17. xviii. 8. xxi. 3-5.; Ecg. C. 30. 31.; Ecg. P. II. 2. IV. 21.; M. I. P. 10.

If any one voluntarily commit homicide, Th. P. xxi. 1.; Ecg. C.

If any one accidentally or by compulsion commit homicide, Th.P. xxi. 2. 38. 39.; Th.C. p. 80.; Ecg. P. II. 1.; M. I. P. 6. 7.

If a woman kill any one through malice, Th. P. xxi. 6.; Ecg. C.

If a woman kill her child, Th. P. xxi. 7. 8.; Ecg. C. 31.

If any one slay his slave, without the judge's cognizance, Th. P. xxi. 12.; Ecg. C. 22.; Ecg. P. II. 3.; M. I. P. 11.

If a woman scourge her female slave to death, Th. P. xxi. 13.; Ecg. P. II. 4.; M. I. P. 12.

If a slave at his master's command commit homicide, Th. P. xxi. 14.; Ecg. P. IV. 68.

If a man commit homicide in warfare, or in defending his lord's property, Th. P. xxi. 15.; Th. C. p. 80.; Ecg. C. 24.

If a bishop or ecclesiastic commit homicide, Th. P. xxi. 16. 17. 22.; Th. C. p. 81. 82.; Ecg. E. 33. 162. 163.; Ecg. P. II. 1. III. 3. IV. 1-4. 68.; M. I. P. 7. 9. 26.

If any one slay his child, Th. P. xxi. 19.; Th. C. p. 74.; Ecg. C. 12.; Ecg. P. II. 1.; M. I. P. 8.

If a freeman, by command of his superior (senior), kill an innocent man, Th. P. xxi. 24.; Th. C. p. 81.

If any one go forth to slay, Th. P. xxi. 26.

If any one consent to a homicide, Ib. 35.; Ecg. C. 22.

If any one contemplate a homicide, Th. P. xxi. 35.; Ecg. P. II. 1.; M. I. P. 5.

If a man overlay his child, Th. P. xxi. 36.; Ecg. P. A. 4.; M. I. P. 41.

If any one destroy another by witchcraft, Th. P. xxvII. 9.; Ecg. P. IV. 17.; M. I. P. 37.

If a slave slay a priest, Th. C. p. 72.

If thieves and robbers are slain in the act, Ib. p. 74.

Of homicides not voluntarily committed, Ib. p. 74. 80.

If a layman slay another through hate, Ib. p. 76.; Ecg. P. II. 1. IV. 5.

If any one commit homicide and do not compound with the relatives, Th. C. p. 77.

If any one slay another in an idle quarrel, Ib. p.81.; Ecg. P. IV. 68.

If any one treacherously slay his superior or lord, Th. C. p. 81.

If a clerk slav his relation, Ib. p. 82.

If any one slay another within the pale of a monastery, Ecg. E. 79.

If any one slay another in 'moro,' in anger, and secretly, Ecg. C. 22.

If a layman commit homicide, Ecg. P. IV. 5.

If any one destroy another by poison, Ib. 16.; M. I. P. 37.

If any one slay another in avenging his mother, Ecg. P. IV. 68.

If any one slay another for money, Ecg. P. A. 20.

If an insane person commit a homicide, Ib. 29.

If a priest be slain in war, Ælf. P. 50.

Sodomitæ & qui se polluunt, &c. Th. P. xvi. 7. 8. 9. 12. 16. 19. 30. 34. xviii. 9. 20. xxviii. 1-33. xxxi. 21.; Th. C. p. 78. 79. 83. 84. passim; Ecg. C. 5. 14. 15. 16. 21.; Ecg. P. II. 6. III. 14. IV. 12. 14. 15. 56. 68.; M. I. P. 14. 33. 35. 36. 40.

Songs (heathen), Edg. C. 18.

Staca, Stacung. } Ecg. P. IV. 17.; M. I. P. 38.

Stage-players, see Istriones.

Stan-weorpung, Edg. C. 16. n. 2. See Superstitions.

Stranger (Hospes).

If any one do not receive a stranger, Th. P. xxv. 4.

Subdeacon, see Priest, Deacon, &c.

Suicide, Th. C. p. 65. 71.; Ecg. P. II. 5.; M. I. P. 13.

Sunday.

Si quis die Dominico nupserit, Th. P. xvi. 19.; Th. C. p. 72.; Ecg. E. 108.; Ecg. C. 21.

Regulations for the observance of, Th. P. xxxvIII. 6-14.; Ecg. C. 35. n. l.; Ecg. P. A. 22.; Edg. C. 19.; N. P. L. 55. 56.; Ælf. C. 36.; E. I. 24.

Greek and Roman usage with regard to Sunday, Th. P. xxxvIII. 6.7.11. xLIV. 1.2.; Ecg. C. 35.

Superstitions (Blot — Drycræft — Ellen — Frið-geard — Frið-splot — Fyrht — Galdor — Hlytas — Hwata — Hwatunga — Idolawurpung — Lîc-wiglung — Man-weorpung — Stacung — Stan weorpung — Swefen-racu — Treow-weorpung — Unlibbe—Wilweorpung).

If any one perform sacrifices to devils, Th. P. xxvII. 1.; Th. C. p. 84.; Ecg. C. 32.

Various kinds enumerated and forbidden, Th. P. xxvII. 1-26.; Ecg. C. 29. 32.; Ecg. P. II. 22. 23.; Edg. C. 16.; N. P. L. 48. 50-54.

Priests not to practise magic and enchantments, Th. P. xxvII. 8. 10.; Ecg. P. IV. 18.; M. I. P. 39.

If any one destroy another by witchcraft, Th. P. xxvII. 9.; Ecg. P. IV. 17.; M. I. P. 37.

If a woman put her daughter on the house top, or in the oven, Th. P. xxvII. 14.; Ecg. C. 33.

If any one burn corn where there is a corpse, Th. P. xxvII. 15.; Ecg. C. 32.

If a man be tormented by the devil, Th. C. p. 65.

Dæmonium sustinenti licet petras vel holera habere sine incantatione, Ib. p. 65. 77.

Of various auguries, Ib. p. 84.

If any one seek the future in tabulis vel codicibus, or the Psalter, or Gospel, Ib. p. 85.

That no one admit into his house diviners and fortune tellers, Ecg. E. 149.

If any one stick needles into a man and he die, Ecg. P. IV. 17.; M. I. P. 38.

If any one practise witchcraft, for love purposes, Ecg. P. IV. 18.; M. I. P. 39.

Superstitions — continued.

If any one practise divinations, or watchings at wells, &c. Ecg. P. IV. 19.

If a woman practise witchcraft on her child, or draw it through the earth, Ib. 20.; Edg. C. 16. n. 2.

Swefen-racu, Edg. C. 16. n.2. See Superstitions.

Swine.

Not to enter a church, Edg. C. 26.

Synaxes septem, Ecg. E. 28.

T.

Thane.

Of his fore-oath, Edg. C. 63. If he make denial, N. P. L. 51. Two to collect Rom-feoh, Ib. 57. 58. If he refuse tithe, Ib. 60.

Thane-right, Edg. C. 60. n. 5.

Theft.

Various cases of theft, Th. P. xvi. 20. xxiii. 1-4. 6-12.; Ecg. C. 15.; Ecg. P. II. 25.; Ecg. P. A. 8. 19.

If a bishop, priest, &c. commit a theft, Th. P. xvIII. 11. xxIII. 2.; Th. C. p. 74.; Ecg. E. 33. 69.; Ecg. C. 11.; Ecg. P. II. 25.

If a man steal anything belonging to a church, Th. P. xxIII. 1.; Ecg. E. 74.; Ecg. P. A. 6.

If any one harbour thieves, and share their booty, Th. P. XXIII. 5.

If a boy steal, Ib. 6.7.; Ecg. C. 15.

If any one consent to a theft, Th. P. xxIII. 11.

That church property stolen be restored fourfold, Ib. 12. n. 2.; Th. C. p. 65.; Ecg. E. 73.; Ecg. P. A. 6.

If any one steal a man, Th. P. xxIII. 13.

If any one violate a sepulchre, Ib. 14.; Ecg. E. 75.

If any one from necessity steal food, clothing, &c., a horse, ox, &c., Th. P. xxIII. 18. 19.; Ecg. P. IV. 25.

If any one find in the road gold, clothing, &c., Th. P. xxIII. 20.

If any one wittingly eat what has been stolen, Ib. 21.; Th. C. p. 84.

If any one seize and bind a thief, Th. P. xxIII. 22.

If any one by force or artifice carry off another's property, Th. P. xxv. 2.

If any christian steal another, and sell him, Th. P. xLII. 5.

If thieves and robbers are slain in the act, Th. C. p. 74.

If any one commit theft, and do not compound with those whom he has injured, Ib. p. 77.

That he who steals restore the theft, Ib. p. 84.

If any one break into a church for theft, Ecg. P. IV. 24.

If one despoil another of his goods, that he make fourfold compensation, Ecg. P. A. 34.

Tithe.

Of tributum ecclesise — ne tantum pauperes in decimis, &c. vim patiantur, Th. C. p. 65.

That it is not lawful to give tithes, except to the poor and strangers, Ib. p. 65.

That the priests receive tithes from the people, and of the tripartite division of them, Ecg. E. 4. 5.; Edg. C. 54.; Ælf. C. 24.

That churches antiquitus constitutæ be not deprived of their tithes, &c., Ecg. E. 24.

Admonition to render tithes, Ecg. E. 101-105.; Edg. C. 54.; E. I. 35.

If any one withhold his tithe, N. P. L. 60.

Tonsure, Th. C. p. 64.; Ecg. E. 152. 153. 154.; Ecg. P. A. 5.; Edg. C. 47.; N. P. L. 34. 40.

Treasure Trove, Th. P. xxIII. 20.; Th. C. p. 65.

Treow-weorpung, Edg. C. 16. & n. 2. See Superstitions.

U.

Unction, see Chrism.

Unlibbe, Ecg. C. 29. See Superstitions.

Usury.

If any one exact usury, Th. P. xxv. 3. 5.

General prohibition of, Ecg. P. II. 30.

If a bishop, abbot, or priest lend money on usury, Ecg. P. III. 7.

V.

Veil (Velamen).

That a woman may receive the eucharist under a black veil, Th. P. xlvi.; Th. C. p. 65.; Ecg. C. 37.

Prayer may be said under a veil, if necessary, Th. C. p. 65. Regulations concerning it, Ecg. E. 92.

Vellum (Boc-fel), Edg. C. 3.

Viaticum, Ecg. E. 20.

Virgin.

If a man have connexion with a virgin, Th. P. xvi. 2. 3. 13. xix. 4.; Th. C. p. 76. 82.; Ecg. E. 113.; Ecg. P. IV. 68.; Ecg. P. A. 33.

If any one ravish a virgin, Th. P. xvi. 15.

If a virgin after a vow of virginity marry, Ib. 24.

If a virgin commit fornication in the house of her parents, Ib. 27.

Parents may not give a betrothed virgin to another, Ib. 29.

Her penance and a widow's alike, Th. C. p. 76.; Ecg. C. 31.; Ecg. P. IV. 68.

If a maiden be betrothed and led into captivity, Ecg. P. II. 15.; Edg. C. 24.

If any one by artifice take a girl for illicit purposes, M. I. P. 22.

Vow.

A woman may not make a vow without her husband's consent, Th. P. xvi. 23.

If any one after a vow of virginity marry, Ib. 24.; Th. C. p. 80. If a secular make a vow without the bishop's consent, the bishop may dissolve it, Th. P. xix. 22.

If a monk and nun break their vow, Ecg. P. III. 11.

W.

Waller-Wents, N. P. L. 51.

Wapentake, N.P.L. 57.

Weapons.

If a priest enter a church with weapons, N. P. L. 37.

Weights and Measures.

That there be just weights and measures, Th. C. p. 75.

Wents, N. P. L. 52. 53.

Widow.

If a layman fornicate with a widow, Th. P. xvi. 11.

If any one carry off or ravish (rapuerit) a widow, Ib. 15. xx. 9.

Si vidua stuprum fecerit, vel infantem in utero, vel post nativitatem occiderit, Th. P. xvi. 17.; Ecg. C. 39. n. 3.

Her penance and a young girl's alike, Th. C. p. 76.; Ecg. C. 31.; Ecg. P. IV. 68.

If a man marry a widow, Th. C. p. 77.; Ecg. E. 32.; Ælf. C. 8.; Ælf. P. 42.

Regulations respecting the sacrum velamen, Ecg. E. 92.

Of a widow's duty, I. P. 17.

That a widow may marry a second time, Ælf. P. 43.

Wife, see Husband and Wife.

Wil-weorbung, Edg. C. 16. See Superstitions.

Wine, Th. P. xxvi. 14.; N. P. L. 16.

Wîtan, I. P. 5.

Witness.

Whether a priest or deacon can be witness to a last will, Ecg. D. 2.

Of those who may not be witnesses, Ecg. E. 144.

Wit-word, N. P. L. 67.

Woman. See also Husband and Wife.

Si mulier aut cum seipsa aut cum altera fornicata fuerit, Th. P. xvi. 4.; Th. C. p. 77.; Ecg. C. 31.; Ecg. P. IV. 68. si sanctimonialis, Th. C. p. 83.

If a woman commit adultery, Th. P. xvi. 5. n. 4. xix. 17. 18. 19.; Ecg. E. 123.; Ecg. C. 19.; Ecg. P. IV. 68.; Ecg. P. A.

If a christian woman fornicate with jews, Th. P. xvi. 35.

Si quis cum muliere tempore menstrui sanguinis nupserit, Th. P. XVII. 5.

Woman - continued.

Mulieres menstruo tempore non introeant ecclesiam, neque communicent, Th. P. xvII. 8.; Th. C. p. 71.; Ecg. C. 28. 29.; Ecg. P. IV. 40.

If a woman take holy orders, and return to the world, Th. P.

XVIII. 16.; Ecg. P. II. 16.; M. I. P. 25.

If a woman marry two brothers, Th. P. xx. 12.; Ecg. P. II. 11.; M. I. P. 19. 20.

Si mater cum filio suo parvulo fornicationem imitatur, Th. P.

xx. 17.; Ecg. P. IV. 68.

Of those who destroy their offspring, or cause abortion, Th. P. xvi. 17. xviii. 8. xxi. 3-5.; Ecg. C. 30. 31.; Ecg. P. II. 2. IV. 21.; M. I. P. 10.

If a woman kill any one through malice, Th. P. xxi. 6.

If a woman kill her son, Ib. 7. 8.; Ecg. C. 31.

If a woman scourge her female slave to death, Th. P. xxi. 13.; Ecg. P. II. 4.; M. I. P. 12.

If a woman practise magic, &c., Th. P. xxvII. 13. 14.; Ecg. C. 29. 33.; Ecg. P. IV. 20.

If a pregnant woman desire to fast in Lent, Th. P. xxxII. 3. That a woman may not approach the altar, &c., Th. P. xLvi.; Ecg. P. III. 12.; Edg. C. 44.; E. I. 6.

That a woman may receive the eucharist under a black veil, Th. P. xLvi.; Th. C. p. 65.; Ecg. C. 37.

May not baptize, without extreme necessity, Th. P. xLVIII. 21. If a woman enter a church ante mundum sanguinem et post partum, vel si quis cum ea concubuerit, Th. C. p. 71.81.

Si quis obtrectaverit puellæ aut mulieris pectus, &c., Ib. p. 71.

If any one bathe with women, Ib. p. 71.

If any one fornicate with a married woman, Ib. p. 76.

That a woman may go to housel before childbirth, Ecg. C. 31. Of the Greek and Roman custom with regard to women administering the sacrifice, Ib. 37.

If a woman be betrothed, Ecg. P. II. 12.; M. I. P. 21.

If any one by craft take a woman for illicit purposes, Ecg. P. II. 13.; M. I. P. 22.

If a female (puella) be betrothed, and afterwards led into captivity, Ecg. P. II. 15.; M. I. P. 24.

If a female reside with nuns, intending to take holy orders, and commit fornication, Ecg. P. II. 17.

That no laywoman may touch the holy mysteries, Ecg. P. III.

That no woman dwell with a priest, Ecg. E. 15. 31.; Ecg. P. A. 28.; Ælf. C. 5. 6.; E. I. 12.

Wounding, Beating, and Maiming.

If any one wound his father or mother, Th. P. xx1. 20.

If any one strike another with a stick or stone, Ib. 23.

If any one disable another in a quarrel, Ib. 25.; Ecg. C. 22.

If a man wound another, Th. P. xxi. 26.; Ecg. C. 22.; Ecg. P. IV. 22.

If any one strike another, and do not injure him, Th. P. xxi.

If any one voluntarily cut off one of his limbs, or virilia sua, Ib. 28. 29. 30.; Ecg. C. 22.

Wounding, &c. - continued.

If children or youths strike each other so as to shed blood, Th. P. xxi. 31, 32.

If any one wound or disable another in anger, Ib. 37.

If an ecclesiastic wound a man, Ib. 37.

If any one shed boiling water over another so that he die, Ib. 38.

If any one wound a clerk or priest, Ecg. E. 62.; Ecg. P. IV. 23.; N. P. L. 23.

If any one strike and shed blood, Ecg. E. 163.

X.

Xenodochium, see Hospital.

Đ.

Đeod-witan, I. P. 57.

A. S.=Anglo-Saxon.

M. H. G .= Middle High German.

O. H. G.=Old High German.

O. N.=Old Norsk or Norse, i.e. Icelandic.

O. S.=Old Saxon.

N.B.—Words having the prefix Ge are placed under the initial letter of their roots.

A.

ABARNARE — A. S. ABARIAN — denudare, detegere, to lay bare, discover, detect. Hence æbene peop, fur probatus, convictus; æbene mont, homicidium probatum.

Acquietare, to acquit, absolve, quietum reddere.

Advocare, defendere, tutari; it. vocare (ad warantiam), to vouch to warranty. A. S. týman, zetýman.

Advocatio, defensio, see note to H. Lxxxv. 1.

ÆBERE. See ABARNARE.

ÆFESN — PASNAGIUM, PANNAGIUM. The privilege, or remuneration to the proprietor of a domain for the privilege, of feeding swine under the oaks and beeches of his woods. This remuneration, according to Ine 49. (see note ib.), consisted of the third hog, when the fat was three fingers thick, and so on in proportion. For payment in kind a payment in money appears to have been customary at the time of the Survey (see Sir H. Ellis's Introd. to Domesday, vol. i. p. 99 note). Spelman cites one or two rather farfetched etymons of the word pannage (or pasnage), but its derivation is obviously from the French paisson, pasture.

Æfter-gild (n.), see note to C. S. 24.

AGYLDE, AGYLDE, on the particle of exclusion, a, æ, or, ex (Goth. us), and 'gild,' payment, requital, &c.

Æ-HLIP (m.), transgression of the law.

ÆHTE-SWAN — SERVUS PORCARIUS. A swine-herd, from 'æht,' possessio, pecus, and 'swan' (O. N. sveinn), a servant.

ÆT-HLYP (m.), evasio, escape, assault? The old Latin version renders it conclamatio.

ÆWDA, see note to H. & E. 2.

Æpeling, a noble, though generally signifying a prince of the blood.

ALDERMANNUS. See EALDOR-MAN.

Algarum Maris, enumerated among the rights of the crown in H. x. 1. Du Cange suggests, with great probability, that this is a corruption for Laganum Maris. 'Lagan' was a well known right in the middle ages, like 'Jetson' and 'Flotson,' by which the goods thrown from a vessel in distress became the property of the king or lord, on whose shores they were stranded. See Du Cange voce Lagan, Spelman voce Flotson, and Jacob's Law Dictionary.

ALLEGIARE, Culpa se eximere, facinus diluere.' Du Cange.

Amber — Ambra — a measure of four bushels. See the Registri Honoris de Richm. App. p. 44., where, in an extent of the manors of Crowhurst and Fylesham, in Sussex, 8 Edw. I., we read, 'xxiii. ambræ salis, quæ faciunt xii. quarteria, secundum mensuram Londoniæ.' Ibid. p. 258. it is added: 'Quarterium Londinense octo modios sive bussellos continet, Ambra igitur quatuor modios.' See Introduction to Domesday, vol. i. p. 133.

AMBIHT-SMID, see note to Ethb. 7.

Andrea { (m.), a day or term appointed for hearing a cause; hence Andrean, to appoint the day, adjunare, diem dicere, citare.

Angylde (n.), the rate fixed by the law, at which certain injuries were to be paid for, either to person or property. In the former case, it seems from Alf. 9. to comprise or be equivalent to the 'wer.' The 'angylde' seems also to have been the fixed price at which cattle and other goods were received as currency, and appears to have been much higher than the market price or 'ceap-gild.'

ANTEJURAMENTUM. See OATH.

APLATA, pro certo, plane: Fr. à plat.

AR (f.), honour, benefice.

Ar (f.). See Misericordia.

ARATURA PRECUM. See BEN-YRÖ.

ASTRIKIBTHET; of this extraordinary combination of syllables, or its variations, I can offer no explanation.

Averia — Aveir. All animals used in agriculture, or constituting the property of a husbandman.

Averian — Averiare — cum averiis, vel curru, res vehere. Custum. de Hecham Prioris Lewensis, p.18., 'Omnis lanceta averabit ter in anno ad acram vel linnam.' Spelm.

Avesan and Ævesan, i. q. Æfesn, which see.

Ač. See Oath.

B.

Bædling. See Mollis.

BARO — DEGN — 'vassallus capitalis. Hujusmodi sunt qui pagos, urbes, castra, vel eximiam ruris portionem, cum jurisdictione, acceperunt a rege, suos utique barones seu vassallos, valvasores, milites, et libere tenentes sub se habentes. Dicebantur autem alias barones capitales, alias barones regis, alias capitanei regni, quod de rege, qui caput regni est, immediate tenuere, et propriis suis vassallis, eorumque clientibus, capitis instar habebantur. Tales sunt quibus reges antiqui Franciam divisere, Willielmus primus (ut in Domesdei paginis exhibentur) Angliam. Reperiuntur autem, juxta potentiæ suæ speciem, alii majores, alii minores.

'Baro pro vassallo capitali majore: hoc est pro duce, marchione, comite, vicecomite, et simplici magnate. Sub baronis appellatione recte veniunt hi omnes, cum vel maximus principis sit vassallus, eique teneatur homagii vinculo, seu potius baronagii, hoc est de agendo vel essendo

barone suo.

'Baro pro simplici magnate hodie notissimum, sed non pari ubique consideratione.' Vide Spelman, sub voce.

Befon, to attach.

Bel-flys (n.) — Timpani Vellus — fleece of a bellwether.

Bei-hûs (n.) — Tympanarium — bell-house; probably the same as the Fr. Tinel, 'hôtel, maison, salle basse, rez de chaussée, dans lesquels mangent les domestiques d'un grand. Dans les cours plenières l'on disoit que le Roi tenoit son tinel, pour désigner que ses barons et leur suite seroient défrayés par le Roi. Les Italiens disent tinello pour une salle du commun.' Roquefort.

BEN-FEORM (f.) - FIRMA PRECUM. See FEORM.

BEN-RIP (f.) — AD PRECES MESSIO. See BEN-YRO.

BEN-YRÖ (f.) — ARATURA PRECUM. 'Sic dicta a corvatis, quæ a tenentibus quasi precario exigebantur.' Regestum Abbat. Welbekensis, fol. 108. 'Hoc donum — quietum ab omni exactione et servitio seculari, quæ mihi pertinent, excepto quod singulis annis, pro eadem terra, quinque solidos mihi dabunt, similiter tres preces de una caruca, et tres preces in autumno, prima videlicet cum uno homine, secunda cum duobus hominibus, tertia vero die cum tot hominibus, quot in eadem terra cotidie metentes inventi fuerint.' Vetus charta apud Somnerum in tractatu de Gavelkind, p. 19. 'Arant preces semel ad conredium Alia ibid. p. 20. 'In villa de Ickham sunt sedecim cotarii, quorum quilibet habet quinque acras, et hæ sunt eorum consuetudines: ducunt brasium, quilibet tres preces, id est, quando rogantur per servientem curiæ, debent facere, sive aliud facere quod expedit domino per tres dies; et si noluerint facere, possint artari, &c.' Du Cange, voce Preces.

Beo-ceorl, Beocherus — apum custos. The Barbaro-Latin term was perhaps originally Beocherus, from 'beo,' apes, and 'cherus' (for herus), dominus, master, &c. The form 'beocepe' is apparently the Latinized word Saxonized.

GEBEORSCIPE. See GEBURSCIPE.

BERE-GAFOL (n.)—TRIBUTUM HORDEI—one of the rents paid in kind, which, by this enactment, is fixed at the rate of six pounds per head for every labourer (wyrhta) employed in the barley harvest. Wyrhta is the term generally used to express a husbandman or reaper, as, 'Wicel júp ip y reapa pýnhtena. — biòòað þ he rende pýnhten to hir júpe.' Matt. ix. 37, 38.

GEBÉTAN. See BOT.

BILLUM — Ger. Beil — an axe, bill?

Birele, pincerna, skinker, cup-bearer; verb, birilian, haurire.

BLESERE BLYSIERE (m.), incendiary.

BLEDSTODII, H. LXXVIII. 5. To neither of these readings, which seem equally corrupt, can I assign any meaning.

BLÓDWITA — FORISFACTURA SANGUINIS. The fine imposed for drawing blood by wound or blow; reckoned, H. LXXXI. 3., among the minora forisfacta.

BLOT (n.?), a sacrifice or offering to idols; verb, Goth. blotan; O. H. G. blozan; O. N. blota; sacrificare, libare, idola colere.

BOCHERUS. See BEO-CEORL.

Bốc-LAND (n.), 'land held by book or charter. It was land that had been severed by an act of government from the folcland, and converted into an estate of perpetual inheritance. It might belong to the church, to the king, or to a subject. It might be alienable and devisable at the will of the proprietor; it might be limited in its descent without any power of alienation in the possessor. It was often granted for a single life or for more lives than one, with remainder in perpetuity to the church. It was forfeited for various delinquencies to the state.

'Estates in perpetuity were usually created by charter after the introduction of writing, and on that account, bocland and land of inheritance are often used as synonymous expressions. But at an earlier period they were conferred by the delivery of a staff, a spear, an arrow, a drinking horn, the branch of a tree, or a piece of turf; and when the donation was in favour of the church, these symbolical representations of the grant were deposited with solemnity on the altar; nor was this practice entirely laid aside after the introduction of title deeds. There are instances of it as ate as the time of the Conqueror. It is not therefore quite correct to say, that all the lands of the Anglo-Saxons were either folcland or bocland. When land was granted in perpetuity it ceased to be folcland, but it could not with propriety be termed bocland, unless it was conveyed by a written instrument.

'Bocland was released from all services to the public, with the exception of contributing to military expeditions, and to the reparation of castles and bridges. These duties or services were comprised in the phrase of trinoda necessitas, which were said to be incumbent on all persons, so that none could be excused from them. The church, indeed, contrived, in some cases, to obtain an exemption from them, but in general its lands, like those of others, were subject to them. Some of the charters granting to the possessions of the church an exemption from all services whatever, are genuine, but the greater part of them are forgeries.

'Bocland might, nevertheless, be subjected to the payment of an annual rent to the state by its original charter of creation. We have an instance of this among the deeds of Worcester cathedral collected by Heming. Æthelbald, king of the Mercians, had, it appears, granted to Eanulf, grandfather of Offa, an estate of inheritance, burthened

BOC-LAND - continued.

with an annual payment of ale, corn, cattle, and other provisions to a royal vill; and this estate, with the rentcharge attached to it, Offa afterwards gave in remainder to the see of Worcester, after his own life and that of his sons.

Bocland might be held by freemen of all ranks and

degrees.

The estates of the higher nobility consisted chiefly of bocland. Bishops and abbots might have bocland of their own in addition to what they held in right of the church.

'The Anglo-Saxon kings had private estates of bocland, and these estates did not merge in the crown, but were devisable by will, gift, or sale, and transmissible by inheritance, in the same manner as bocland held by a subject.'

The above extracts are from "An Inquiry into the Rise and Growth of the Royal Prerogative in England." By John Allen. 8vo. 1830. p. 143—151. See also Kemble's Cod. Diplom., Introd. p.ciii—cvi.

- Bold-Getæl, see note to Alf. 37. I am not aware of the occurrence of this word elsewhere; the Latin translator renders it 'mansio.'
- Bonda, boor, paterfamilias. This word was probably introduced by the Danes, and seems occasionally to have been used for 'ceorl;' its immediate derivation is from O. N. buandi, contr. bondi, villicus, colonus qui foco utitur proprio, part. pres., used substantively, of 'at bua.' Goth. gabauan, habitare; modern Danish, bonde, peasant, husbandman.
- Bordarius Bordier. One occupying a tenement denominated a bord. 'Qui bordam aut domum sub bordagii vel bordelagii onere possidet.' Du Cange. Borde is thus defined by Roquefort: 'Loge, petite maison, cabane bâtie à l'extrémité de la ville, dans le faubourg; de là ce nom a signifié petite ferme, masure ménil, closerie, petite grange, petite métairie; en bas Lat. boaria, borda, bordellum, boria.' Gloss. Rom. sub voce. See also Introd. to Domesday, vol. i. p. 82.
- BORH (m.), a surety. 'On boph niman,' to be security (for BYRIGEA)
- BORH-BRYCE (m.), breach of security or surety, either on the part of the party giving it, or of him for whom it is given.
- Bor (f.), amends, atonement, compensation, indemnification. Gebetan, to better, atone for, &c.
 - Had-bot (emendatio ordinis), atonement or compensation for the offence of 'had-bryce' (ordinis infractio). A

Bot - continued.

fine payable by the party who had slain or maltreated a man in holy orders, which was usually divided into three portions, one for the bishop, one for the fraternity, and the third, or

Weofod-bôt (altaris emendatio), the application of which in E. B. 12. and H. LXVIII. 5. is not specified, while in other places (C. S. 42.; H. XI. 8. LXVI. 3.) it is assigned to the bishop, without mention of any tripartite distribution.

Brasil, perhaps the same as Brasium (malt).

BRICG-BOT. See TRINODA NECESSITAS.

GEBÜR (m.), boor. For the etymon of this word, see BONDA.

BURH-BOT (f.). See TRINODA NECESSITAS.

Burn-Bryce (m.), the violation of a man's castle (burh) or dwelling; also the mulct for such violation. This was one of the rights of the crown.

GEBURSCIPE (m.), an association, the precise nature of which is not apparent, though, from the passages where mention of it occurs, it would seem to be a club of persons united for the sake both of conviviality and mutual support, in which respect it closely resembled the 'gilds,' though perhaps wanting the legal sanction possessed by the latter. From Ed. I. it appears to have been an association of persons in a certain district, and at least acknowledged by the state.

BURH-GEAT-SETL (m.), literally a seat at a town gate, but used as a court for trying causes of family and tenants. Selden.

Byrigea. See Borh.

BYTT-FYLLING — BUCCELLORUM IMPLETIO. This expression occurs only in Ath. V. viii. 1. I am unable to suggest even a conjectural illustration of its meaning.

C.

CACEPOLLUS, receiver of duties, exactor, lictor. The modern catchpoll is undoubtedly derived from this word, but of its own etymon nothing seems to be known with certainty. Ælfric in Gloss. has 'hæcepoll,' exactor, for which, perhaps, we ought to read 'hæcepoll,' the Saxon 'p' being mistaken for 'p.' The 'c' may have been prefixed to strengthen the aspirate, the word being also written 'chacepollus.'

CACEPOLLUS — continued.

Spelman gives the following from the Testa de Nevil: 'Hospitalarii tenent in Hereford unum mesuagium, quod Philippus filius Odonis tenuit per sergantiam chachepolli,'&c. Roquefort, without citing an authority, describes 'chacepol' as un sergent préposé à la levée des impôts.

CENNAN, i. q. CLENSIAN, to clear, justify. See note to Wih. 17.

Can (f.), clearance, averment.

CASTELLATIO, the castellating of a dwelling, or erecting of a castle; also one of the rights of the crown (H. x. 1.), being the fine payable to the king for license to castellate or fortify a dwelling, or to erect a castle. In H. xIII. 1. 'Castellatio sine licentia' is enumerated among the offences placing the perpetrator in 'misericordia regis.' Of this right no mention occurs in the Saxon times.

Ceac (m.), Fr. cep, chep; Lat. cippus; Low Ger. kake, kaek; Dan. kag; a sort of stocks or pillory. These terms seem used indiscriminately to signify a kind of fetter, in which the feet of the criminal were confined when he was put to the question. Roquefort gives the following description of the apparatus: 'Le cep étoit composé de deux pièces de bois entaillées sur le bord et justement à la même distance, qui, venant à se joindre, serroient les pieds ou les mains, et même quelquefois les unes et les autres ensemble. Ce n'étoit dans l'origine qu'une espèce de prison où l'on détenoit les criminels jusqu'à leur jugement définitif; de là le nom de ceppier, pour désigner celui qui en avoit la garde, terme qui répond à celui de geolier.'

Our word jack, signifying several kinds of engines and instruments, is probably derived from 'ceac,' pronounced,

as in later times, chack.

CEAP (m.), pactio, bargain; anything for sale, and the price of it; also cattle, as being the usual medium of barter; chattel. See note to Ethb. 77. It may also be observed, that 'ceap' is sometimes used instead of 'ceap-gild,' as 'wer' and 'leod' for 'wer-gild' and 'leod-gild.'

CEAP-GILD (n.) — CAPTALE. In its general acceptation, this seems to have been the price which a chattel would actually bring, if exposed for sale, and which, as at the present day, was fluctuating according to circumstances. In the Jud. Civ. Lund. (Ath.V.) it appears to represent the rate fixed by the frið-gilds at which they indemnified their members for property stolen, and which, though lower than the 'angylde,' might, under certain circumstances, rise to an equality with it (Ath.V. vi. 4.); while the

CEAP-GILD - continued.

'angylde' was the rate fixed by the state at which cattle were to pass as the medium of traffic, at a period when coined money was rarely to be met with in commerce.

'Ceap-gild' may therefore be rendered market price, 'angylde' being the fixed rate at which certain kinds of cattle are to be taken in lieu of money. For the more remote derivation of 'ceap-gild,' see Grimm, D.R.A., p. 383.

CEAPIAN, paciscor, make a bargain. The phrase 'mægðe gebicgan,' to buy a wife, though expressive of a transaction rarely occurring in modern times, was, till late in the middle age, preserved in Germany, marriage being originally a purchase, the suitor paying to the party (father, brother, or guardian), in whose power the girl or widow chanced to be, a price, for which she was engaged and delivered to him. See Grimm, D.R.A., p. 421.601.

CENTENARIUS. See HUNDREDES EALDOR.

CEORL — O.H.G. charal. A freeman of ignoble rank, a churl, twy-hinde man, villanus, illiberalis.

Church-frith. Church-grid.

CILTRE, corruptly SILTRE, Chiltern.

CIRIC-BRYCE (m.), any violation of the privileges of a church.

CIRIO-SCEAT (m.) — PRIMITIÆ SEMINUM — church-scot or shot, an ecclesiastical due payable on the day of St. Martin, consisting chiefly of corn. In Cnut's letter from Rome occurs the following passage regarding 'ciric-sceat.' After enjoining the payment of the other dues, he adds, 'et in festivitate S. Martini primitiæ seminum ad ecclesiam, sub cujus parrochia quisque deget, quæ Anglice 'cyric-sceatt' nominantur.' Flor. Wigorn. Ann. 1031. And in an old law book quoted by Lambarde it is said, 'Chircheseed (chirchesced?), ou chirceomer, on chirceamber, fuit un certein de blee batu, que chescun home devoit, al temps des Brytons et des Engles, porter a lour eglise le jour Seint Marten.' Pref. to Archaionomia, ed. 1568.

From the above quotation from Cnut's epistle it is evident that, during the times with which we are concerned, this payment was made as the first-fruits of all things sown, i.e. all esculent seeds or grain. It has been suggested, that 'ciric-sceat' was an offering of the first of the seed corn, as a means of drawing down a blessing on what was sown, and of obtaining thereby a good return for it in the following year; and, considering the antiquity of 'ciric-

CIRIC-SCEAT - continued.

sceat' (which occurs 200 years before any other church due is specifically mentioned), that it might have been a pagan superstition, adopted by the clergy and incorporated with their system, like many other lucrative or indifferent practices. To the above suggestion, though of too much weight to be rejected on slight grounds, it may, however, be objected, that the heavy penalties with which 'ciric-sceat' was enforced, show, and even almost prove, that it was no light tax on the people, nor is it probable that mere superstitious motives would have urged the clergy to the imposition of such penalties, a class of men who, of all others in the community, were the least infected with superstition. For its modifications after the Conquest, see Introduction to Domesday, and the authorities there cited; also, a judicious pamphlet evincing much research, entitled, 'A few Historical Remarks upon the supposed Antiquity of Church Rates,' &c. Ridgway, 1837.

CLETA, crates; A.S., hipbel; Ælf. Gloss., a hurdle.

COLLIFICIUM. See HOMOLA.

COMATIO. See HÆTTIAN.

CONGILDO. See GEGILDA.

Conus, 'cuneus monetalis, coin, sigillum ferreum, quo nummi cuduntur.' Du Cange.

Corsnæd, panis conjuratus, offa consecrata; a species of ordeal, in which the accused had to place in his mouth a slice of bread or cheese; if he ate it freely and without hurt, he was considered innocent; but guilty, if it stuck in his throat, and had to be extracted. In christian times the host was used for this purpose. From 'cor,' 'kur,' trial, proof. Grimm, D.R.A., p. 932. See also D. M., p. 642. note. For the Exorcisms, see Text. Roffens., p. 19-36.

Cote-setla, Cotsetus—a cottager. That he was a freeman, though of a very inferior degree, is apparent from the notice given of him in the Rectitudines Singularum Personarum, and was probably on a footing with the German köther, kothsassen, brinksassen, scil. homines casati, qui casam habent cum particula agri, ex beneficio domini. Qui nullum vel non multum agri habeant, ad manuales operas exhibendas sunt obstricti. See Haltaus, col. 187. According to H. Lxxxi. 3. the 'cothseti' occupy a place between the villanus or 'ceorl,' and the slave; the 'overseunessa' of the first being xxx. den., of the second xv., and of the third vi. In Domesday these are distinguished from the Cotarii, though in what the difference consisted is not apparent.

CRASPICE and CRASPISCE, i. e. crassus piscis. The grampus may possibly be the fish thus designated. Though often rendered balæna, it can hardly have been the whale that was brought to London by the men of Rouen, and which would certainly not have been mentioned as 'piscis, qui dicitur crassus piscis,' i. e. in other words, a fish without a name; nor was it the porpoise, distinct mention being made of each species in the documents quoted by Du Cange, voce Aquatia, and voce Craspiscis. Spelman derives 'grampoise' from grand and poisson, or magnus piscis.

CRAVARE, postulare, petere, in judicium mittere, from A. S. 'cparian;' hence Miscravatio, injusta postulatio.

CROCCA, a pot. In the West of England the word crock is still used for a pot employed in culinary purposes. The phrase 'crocca towallet' is explained in H. xciv. 3., and receives further illustration from the following note by Mr. Kemble, 'We have transformed the Saxon 'potpeallepap' (i. e. potboilers, householders, men who keep up a fire in their house,) into potwallopers. There are many small glossaries of these words in various Mss. of the 12th century; and some Norman charters which, while they confirm the privileges, frankly state that they do not know the meaning of the words they are confirming.' Cod. Diplom. Ævi Sax., Introd. p. xliii. note.

CYNE-BOT (f.)

CYNE-GILD (n.)

The portion belonging to the nation of the mulct for slaying the king, the other portion or 'wer' being due to his family.

CYNING, king. Though evidently a derivative of 'cyn,' gens, natio, (as M.G. piudans, from piuda; A.S. peoden, from beod; drihten, from driht,) its formation is extremely doubtful: Mr. Allen has the following passage relative to the word: 'The word cyning, from its structure, is manifestly a patronymic, like Æscing, son of Æsc; Uffing, son of Uffa; Ælling, son of Ælle; Cerdicing, son of Cerdic; Iding, son of Ida; Cryding, son of Cryda; Ætheling, son of the Æthel or noble. According to this analogy, the person who had the title of cyning given to him was considered as one standing in the same relation to the tribe that a man does to his father or to the founder of his race. In other words, the cyning was considered as the son or child of the nation, a more appropriate designation, perhaps, than the modern phrase of father of his people.' Inquiry into the Rise and Growth of the Royal Prerogative, note H. With the above definition accords that given by B. Haldorsen, viz. 'konûngr' qu. 'koni-ûngr,' heroum progenies. May it not be a decomposite, and thus formed: cyncynen-cynening, contr. cyning?

D.

DÆD-BÂNA, the actual perpetrator of a homicide. See RÆD-BÂNA.

DAPIFER, a steward, either of the king or a lord. In H. VII. 7. he seems to occupy the place of the Saxon 'gerefa,' the word 'legitime' referring, apparently, to the qualifications stated in Eth. I. 1. and C. S. 30., which, in certain cases, enabled a 'gerefa' to act in place of his 'hlaford.' See Spelman, Gloss. sub voce.

DECIMA. See TEOSING.

Denegeldum; 'Danegilt, tributum Anglis indictum, alias ob pacandos Danos, alias ob arcendos. Danis autem non videtur concedi, sed ipsimet regi, ad conducendum militem adversus Danorum irruptiones.' Spelman.

'Danegild' continued a tax till the time of Stephen, who, according to Henry of Huntingdon, at the commencement of his reign, 'vovit quod Danegeldum, id est, duos solidos ad hydam, quos antecessores sui singulis annis

accipiebant, in æternum condonaret.'

Spelman is incorrect in stating that it was not granted to the Danes, but to the king, as is evident from H. xv. He was, no doubt, misled by the vicious reading instead of the genuine one 'pingemannis.' See also Ed. C. 12.

'Danegild' was one of the rights of the crown.

Deor-Hege (m.), the hedge inclosing a deer park.

DESTITUERE, deserere.

Destitutio, 'statutum vel decretum legi et rationi contra-

DIFFORCIARE. See DIFFORCIATIO.

DIFFORCIATIO, 'juris æqui denegatio, quando ab eo petitur, cujus interest ut rectum fiat; Sax. pihter pṛṇnung. Talis recti a judice inferiori requisiti denegatio jurisdictionem suam ei adimit, altius provocandi causam præbet, et in aliorum forum et potestatem jurisdictionem transire facit.' Somner.

DIRATIONARE, Cocording to Spelman, has a variety of significations; viz. causam agere; rem probare; assertionem contrariam refellere, quod traversare dicunt; examen litis subire (triare); lite potiri, et rem litigatam evincere, seu recuperare. Du Cange renders 'desraisnier' by 'prouver son droit en justice'; but, although it may

DIRATIONARE, &c. - continued.

be used in all the significations given above, it is clear that its primitive meaning is to disprove.

DIVIDIATIO, see note to H. XXIII. 1.

DIVISA—Fr. devise. The boundary of landed property; also, a court held on the boundary, in order to settle disputes of the tenants.

Dos, an assignment of property from the husband to the wife for her maintenance after his death. It is thus defined by Glanvile, a nearly contemporary authority: 'Dos duobus modis dicitur; dos enim vulgariter dicitur id, quod aliquis liber homo dat sponsæ suæ ad ostium ecclesiæ tempore desponsationis suæ. Tenetur autem unusquisque, tam jure ecclesiastico quam jure seculari, sponsam suam dotare tempore desponsationis. Cum quis autem sponsam suam dotat, aut nominat dotem aut non. Si non nominat, tertia pars totius tenementi liberi sui intelligitur dos; et appellatur rationabilis dos cujuslibet mulieris tertia pars totius liberi tenementi viri sui, quod habuit tempore desponsationis, ita, quod inde fuerit seisitus in dominico. Si vero dotem nominat, et plus tertia parte, dos ipsa in tanta quantitate stare non poterit; amensurabitur enim usque ad tertiam partem, quia minus tertia parte, scilicet tenementi sui, potest quis dare in dotem, plus autem non.'-Lib. ii. c. 1. See also Asega-Buch, p. 151.

Drihtin-beah (m.), see note to Ethb. 6.

Drince-Leán (n.) — Retributio vel Tributum potus; Lambardo vero, 'dona potionis honoraria;' idem forte quod alibi 'Scotale.' Somner. He afterwards describes scotale as a contribution due by the tenants, to purchase ale for the entertainment of their lord or his steward on the fee. Du Cange defines Potus to be 'præstationis species; potus vini qui domino præstatur, mensura scilicet vinaria sic dicta in charta an. 1255, in Tabulario S. Dionysii: Robertus de Clergiaco armiger vendit abbati inter alia duos denarios censuales, et partem suam quam habet in poto et roagio.'

DRY-CREFT (m.), witchcraft, magic. Celt. draoi, magician, draoidheadh, magic; hence also druid.

Ducatus, defensio in via per alicujus territorium. Gall. saufconduit, sauvegarde. Epist. Gregorii VII. PP. apud Brunonem de Bello Saxon., p. 139. Henricum atque Rodulfum commoneatis, quatenus nobis viam illic secure transeundi aperiant, et adjutorium atque ducatum per tales personas, de quibus vos bene confidatis præbeant, ut iter nobis, Christo protegente, puteat.

E.

EALDORMAN — ALDORMANNUS. Originally a dignity of the highest rank, both hereditary and official, nearly synonymous with that of king. In the Sax. Chron., Cerdic. founder of the kingdom of Wessex, and his son Cynric are denominated 'aldormen.' They were also governors of provinces, and, in that capacity, presided in the Hundred After the breaking up of the 'Heptarchy,' we find them, under the supremacy of Wessex, occupying the place of kings in the conquered kingdoms of Mercia and East Anglia. In the latter days of Anglo-Saxon sovereignty, under those miserable princes Ethelred and his son Edward, the dignity of 'ealdorman' seems to have reached its highest point, from which it rapidly descended, their functions being either suppressed, or exercised by officials under other denominations, until the once great name remained alone to that civic magistrate, of whom the earliest traces are, perhaps, to be found in the continuation to Ed. C. 32. (See vol. i. p. 613. n.2.) 'Sic transit,' &c.

Edor-breco (f.) see note to Ethb. 27. Edor-bryce (m.)

ELLEN (n.?), elder. 'This tree was held in great veneration by our forefathers; when they had to lop it, they usually repeated this prayer: Frau Ellhorn, gib mir was von deinem holz, dann will ich dir von meinem auch was geben, wann es wächst im walde; i. e. Lady Elder, give me some of thy wood, then will I give thee also some of mine, when it grows in the forest. This was generally repeated kneeling, with head uncovered, and folded hands.' 'In Hildesheim, when any one dies in the country, the grave-digger goes in silence to an elder tree, and cuts a wand to measure the corpse by; the man who takes it to the grave does the like, and holds this wand in place of the usual whip.' 'Elder planted before the stall door preserves the cattle from magic.' Grimm, D.M., p. 375. and Anhang, p. ciii.

EORL—O.S. erl, O.N. jarl, comes, satelles principis. This is the prose definition of the word; in A.S. and O.S. poetry it signifies man, though generally applied to one of consideration, on account of his rank or valour. Its etymon is unknown, one deriving it from O.N. 'ar,' minister, satelles; another from 'jara,' prælium. (See B. Hald. voce Jarl, and the Gloss. to Sæmund's Edda, t.i. p. 597.) This title, which seems to have been introduced by the Jutes of Kent, occurs frequently in the laws of the kings of that district, the

EORL — continued.

first mention of it being in Ethb. 13. Its more general use among us dates from the later Scandinavian invasions, and though originally only a title of honour, it became in later times one of office, nearly supplanting the older and more Saxon one of 'ealdorman.'

EORÖE (f.), earth. The process of drawing children or cattle through the earth, as a means of cure, prevailed both here and in Germany. 'The earth was hollowed out, and the child made to creep through the passage or tunnel thus formed. This kept off or neutralized all magic. Mulieres, 'quæ habent vagientes infantes, effodiunt terram, et ex parte pertusant eam, et per illud foramen pertrahunt infantem.' Nurses also took the new-born child, and thrust it through a hole.' Grimm, D.M., p. 676.

ERMINGE STRÆTE (f.), one of the Roman roads of Britain, leading from St. David's to Southampton, thus described by Trevisa: 'The thirde waye is called Erymyngestrete, and stretcheth out of the west norweste into eest southest, and begynneth in Menevia, that is in Seint Davids londe, in Weste Wales, and stretcheth forth unto Southampton.' Polychron., lib. i. c. 45.

For conjectures as to its etymon, see Grimm, D.M.,

p. 212.

ERTHMIOTUM, a court held on the boundary of two lands.

ESNE

(m.)—Goth. asneis, O. H. G. asni, mercenarius.

If the rubric of In. 29., be correct, 'esne' and 'peow' seem synonymous. In general the 'esne' seems to have been a hireling of servile condition.

Essartum, a clearing of the woods and forests by uprooting trees and removing the underwood; from sarrire, barbare essartare and exartare.

Essoign. See Soinus.

Evocatio, enumerated, H. XL., among the species of 'pund-breche' (parci infractura), and consisted probably in enticing the deer from their enclosure.

EXACTIONALIS CAUSA, perhaps the same with *criminalis*, capitalis, H. LXI. 19.

Excussio, i. q. 'Rescussus, rescue, a Gall. rescousse, i. e. liberatio vel redemptio; utpote cum aliquis aut captivum aut prædam vi hosti eripit. Pari ratione rescussus dicitur in jure nostro, cum quis legitime comprehensus, per regium breve vel aliam potestatem, i. arestatus, per vim eripitur a mi-

Excussio — continued.

nistris; vel si quod per districtionem capitur, capienti auferatur illegitime.' Spelm. voce Rescussus. 'Recousse, deliverance, reprise des choses enlevées.' Roquefort. Hence 'excutere namium,' for definition of which see H. LI. 8.

Expeditatio, 'vox forestariorum, et significat, canes juxta leges forestæ ita compescere, ut ad insequendas feras minus sint pernices: Anglice, lawing of dogs. Fit duobus modis, scil. vel abscindendo tres ortellos (id est, ungues pedis dexteri anterioris) juxta ipsam cutem, vel exscindendo montem pedis (pollotam vocant), the ball of the foot.' Spelm.

F.

FÆDER-FEOH. See FEOH.

Fæнő (f.) — O. H. G. faida — deadly feud.

FEHÖ-BÖT (f.), compensation for homicide committed in 'fæhö,' by which the slayer redeemed himself from feud on the part of the family of the slain.

FER-BENA, evidently synonymous with 'ceorl' or rusticus; its derivation is doubtful.

FAH-MON, a foe, more especially one who has slain another, and thereby exposed himself to the 'fæhö,' or deadly feud, on the part of the family of the slain.

FARE, fara? 'Nize rapan to tune reccan: novam faram adducere.' R. S., p. 185.

FEAX-FANG (m.), called also HERGRIPA, a seizing by the hair; see note to Ethb. 23.

Felagus. See Gesid.

FEOH (n.) — Goth. faihu; O. H. G. fihu — cattle, money.

Fæder-feoh, the portion brought by the wife to her husband, and which reverted to the widow, in case the heir of her deceased husband refused his consent to her second marriage; i.e. it reverted to her family, in case she returned to them. Legg. Langob. edict. Rotharis, 182. 199. See also note to Ethb. 81.

FEORM (f.)—FIRMA. Farm, purveyance, food, but here applied to a certain portion of the produce of the land, due by the grantee to the lord, according to the terms of the charter. Of the various descriptions of 'feorm' we find—

FEORM - continued.

Ben-feorm, or Firma precum, in which, as well as in 'ben-ýpô' (aratura precum), &c., the word 'ben' is no longer to be taken in its usual acceptation, which is here quite lost sight of, though, without doubt, originally applicable to the case. What was once a request, became in later times a demand or exaction, the name remaining, though the thing was changed to its opposite; such was the case also with the Ger. 'beta,' 'bete,' petitio, rogatio, respecting which Grimm remarks: 'Nach der ältesten sitte wurde freiwillig dargeboten, allmählig bittweise verlangt, endlich herrisch befohlen: According to the oldest custom it was freely offered, by degrees precariously requested, lastly despotically demanded.' See D. R. A., p. 297.

Easter-feorm, or Firma Paschalis, and Winter-feorm, or Firma Natalis Domini,

a certain quantity of produce to be rendered at those periods, according to the terms of the grant.

Gyt-feorm or Gut-firma (rop ypee, or ad arandum): of the nature of this exaction I am unable to give any illustration. It is mentioned in R. S., but does not, I believe, occur elsewhere.

Cyninges-feorm, a tax in kind, levied on the produce of the land, for the supply of the king and his household.

FERDINGUS, apparently a freeman of the lowest class, being named (H. xxix. 1.) after the 'cotseti.' In the Statutes of the Gild at Berwick, anno 1284, published by Houard, and reprinted by Wilda, the ferthingmen are classed after the aldermen of the gild and before the decani, by which it appears that the alderman's jurisdiction was subdivided into four as well as into ten; but these persons can have nothing in common but the name with those mentioned in the law of Henry. See Traités sur les Coutumes Anglo-Normandes, t. ii. p. 467. and Gildenwesen, p. 376. For ferdingi, Wilkins reads pardingi. The nearest approximation to this word seems to be the O. N. ferdarômagi, defined as 'alendus circulatorius, qui ex constitutione paganorum prædia legendo sustentationem sibi quærat.' Cf. Index in Gragas, p. 18.

FESTRE (f.). See FOSTER.

FEUDUM, seu Beneficium, 'est illud quod ex benevolentia alicui ita datur, ut proprietate quidem rei immobilis beneficiatæ penes dantem remanente, ususfructus illius rei ita ad acci-

FEUDUM - continued.

pientem transeat, ut ad eum hæredesque suos, masculos et femineos, si de his nominatim dictum fuit, in perpetuum maneat, ob hoc ut ille et sui hæredes fideliter domino serviant, sive id servitium nominatim quale esse debeat, expressum sit, sive indeterminate promissum sit.'— Otbertus, Lib. 2. Feudor. apud Du Cange et Spelman.

Brevius Cujacius — Feudum est jus in prædio alieno, in perpetuum utendi fruendi, quod pro beneficio dominus dat ea lege, ut qui accipit, sibi fidem et militiæ munus aliudve servitium exhibeat. Lib. I. Feud. tit. 1. apud

eosdem.

For ample information respecting the several kinds of feuds, the reader is referred to Du Cange and Spelman. Of the feudum loricatum (mentioned in H. 11. 3.) Spelman says: Feudum Loricatum (Fief de haubert) est quod hominem edit lorica indutum; et videtur alias idem hoc esse quod hauberticum, alias vero diversum: hauberticum enim feudum semper notare animadverto cataphractum, seu equitem instructum; loricatos vero sæpe dici in historiis nostris de illis quos armigeros nuncupamus.'

The etymon of this word is extremely doubtful; see Du Cange, and Palgrave's English Commonwealth, vol. 2.

p. ccvi.

Finis, 'amicabilis compositio et finalis concordia, ex consensu et licentia domini regis vel ejus justitiariorum.'—Glanv. lib. viii. c. 1. 'Ideo dicitur, quia imponit finem litibus, et est exceptio peremptoria.'—Bracton, lib. v. 5. 28.

FIRMA. See FEORM.

FITUNG (f.), rixa, dimicatio, strife.

FLET (n.), cubile, coenaculum, stratum; also house, home.

FLYMA, a runaway, fugitive, one escaped from justice, or who has no 'hlaford.'

FLYMAN-FYRMÖ (f.), the offence of harbouring a fugitive, the penalty attached to which was one of the rights of the crown.

Folc-Land, 'The land of the folk or people. It was the property of the community. It might be occupied in common, or possessed in severalty; and, in the latter case, it was probably parcelled out to individuals in the folcgemot or court of the district; and the grant sanctioned by the freemen who were there present. But, while it continued to be folcland, it could not be alienated in perpetuity; and therefore, on the expiration of the term for which it had been granted, it reverted to the community, and was again distributed by the same authority.

FOLC-LAND - continued.

- 'Spelman describes folcland as terra popularis, quæ jure communi possidetur sine scripto. (Gloss. Folcland.) In another place he distinguishes it accurately from bocland: Prædia Saxones duplici titulo possidebant: vel scripti authoritate, quod bocland vocabant, vel populi testimonio, quod folcland dixere. (Ib. Bocland.)
- 'Folcland was subject to many burthens and exactions from which bocland was exempt. The possessors of folcland were bound to assist in the reparation of royal vills, and in other public works. They were liable to have travellers and others quartered on them for subsistence. They were required to give hospitality to kings and great men in their progresses through the country, to furnish them with carriages and relays of horses, and to extend the same assistance to their messengers, followers, and servants, and even to the persons who had charge of their hawks, horses, and hounds. Such at least are the burthens, from which lands are liberated, when converted by charter into bocland.
- Folcland might be held by freemen of all ranks and conditions. It is a mistake to imagine, with Lambarde, Spelman, and a host of antiquaries, that it was possessed by the common people only. Still less is Blackstone to be credited, when, trusting to Somner, he tells us it was land held in villenage by people in a state of downright servitude, belonging, both they and their children and effects. to the lord of the soil, like the rest of the cattle or stock upon the land. (Blackstone, ii. 92.) A deed published by Lye exposes the error of these representations. Saxon Dict., App. ii. 2.) Alfred, a nobleman of the highest rank, possessed of great estates in bocland, beseeches king Alfred in his will to continue his folcland to his son Æthelwald; and if that favour cannot be obtained, he bequeaths in lieu of it to his son, who appears to have been illegitimate, ten hides of bocland at one place, or seven at another. From this document it follows, first, that folcland was held by persons of rank; secondly, that an estate of folcland was of such value, that seven or even ten hides of bocland were not considered as more than equivalent for it; and lastly, that it was a life estate, not devisable by will, but, in the opinion of the testator, at the disposal of the king, when by his own death it was vacated.
- 'It appears also from this document, that the same person might hold estates both in bocland and in folcland; that is to say, he might possess an estate of inheritance, of which he had the complete disposal, unless in so far as it was limited by settlement; and with it he might possess

FOLC-LAND - continued.

an estate for life, revertible to the public after his decease. In the latter times of the Anglo-Saxon government it is probable there were few persons of condition, who had not estates of both descriptions. Every one was desirous to have grants of folcland, and to convert as much of it as possible into bocland. Money was given and favour exhausted for that purpose.

In many Saxon wills we find petitions similar to that of Alfred; but in none of them that I have seen is the character of the land, which could not be disposed of without consent of the king, described with the same precision. In some wills, the testator bequeaths his land as he pleases, without asking leave of any one (Somner's Gavelkind, 88. 211. Hickes, Pref. xxxii. Diss. Epist. 29. 54. 55. 59. Madox, Formul. 395.); in others, he earnestly beseeches the king that his will may stand, and then declares his intentions with respect to the distribution of his property (Lambarde, Kent, 540. Hickes, Diss. Epist. 54. Gale, i. 457. Lye's Append. ii. 1. 5. Heming, 40.); and in one instance, he makes an absolute bequest of the greater part of his lands, but solicits the king's consent to the disposal of a small part of his estate. (Hickes, Diss. Epist. 62.) There can be no doubt that bocland was devisable by will, unless where its descent had been determined by settlement: and a presumption therefore arises, that where the consent of the king was necessary, the land devised was not bocland but folcland. If this inference be admitted, the case of Alfred will not be a solitary instance, but common to many of the principal Saxon nobility.

'That folclands were assignable to the thegns, or military servants of the state, as the stipend or reward for their services, is clearly indicated in the celebrated letter of Bede to archbishop Ecgbert. (Smith's Bede, 305. 312.) that performance, which throws so much light on the internal state of Northumberland, the venerable author complains of the improvident grants to monasteries, which had impoverished the government, and left no lands for the soldiers and retainers of the secular authorities, on whom the defence of the country must necessarily depend. laments this mistaken prodigality, and expresses his fears that there will be soon a deficiency of military men to repel invasion; no place being left where they can obtain possessions to maintain them suitably to their condition. is evident from these complaints, that the lands so lavishly bestowed on the church, had been formerly the property of the public, and at the disposal of the government. they had been boclands, it could have made no difference to the state, whether they belonged to the church or to

FOLC-LAND -continued.

individuals, since in both cases they were beyond its control, and in both cases were subject to the usual obligations of military service. But, if they formed part of the folcland, or property of the public, it is easy to conceive how their conversion into bocland must have weakened the state, by lessening the fund out of which its military servants were to be provided.

'A charter of the eighth century conveys to the see of Rochester certain lands on the Medway, as they had been formerly possessed by the chiefs and companions of the Kentish kings (Textus Roffens. 72. edit. Hearne; Kemble, Cod. Diplom. No cxi.) In this instance folcland, which had been appropriated to the military service of the state, appears to have been converted into bocland and given to the church.' Allen's Inquiry into the Rise and Growth of the Royal Prerogative in England, p. 143-149.

Folc-mot. See Gemot.

FOLC-RIHT (n.), the original, unwritten, understood compact, by which every freeman enjoys his rights as a freeman. The common or customary law of the land.

Folgere (m.), a freeman who has no house or dwelling of his own, but is the follower or retainer of another (heorofæst), for whom he performs certain predial services.

Folgoð (f.), præpositura, official dignity.

Forceapum facere; to forestal the market.

Foresteal (m.?), Assultus super aliquem in via regia factus; accurately defined in H. Lxxx. 2. 4.; from 'fore,' ante, before, and 'stellan,' to leap, spring; therefore signifying, at least originally, an assault, consisting in one man springing or placing himself before another, so as to obstruct his progress. Its acceptation of 'viæ obstructio, ut quando quis rem annonariam in via intercipiens, eam ibidem mercatur, aut aliter impedit, quo minus ad forum rerum venalium adducta, publice exponatur venditioni,' which is of later date, and still retained, has no place in these laws. 'Foresteal' was one of the rights of the crown.

Forfang (m.), the seizing and rescuing of stolen or strayed cattle from the hands of the thief, or of those having illegal possession of it; also the reward fixed for such rescue. In Ine 53. 72. 75. the rubric and text do not agree, the law itself relating to the attaching, not 'forfang,' of property.

Forisfactura — Fr. forfeit. This word is sometimes the translation of the A. S. 'pite,' but, in times subsequent to the Conquest, was used to express any kind of crime, mulct, or penalty. In Wil. I. 39. it is given as the translation of 'bôt,' in Edg. II. 3., which in H. XIII. 4. is rendered by reus, and XXXIV. 1. by culpa. In Ath. I. procem. 'wite-peow' is glossed forisfactus servus.

FORISFACTURA SANGUINIS. See BLOD-WITE.

For-spreca, prolocutor, paranymphus.

For-wyrhta, see note to Ath. V. II. The passage to which it relates is thus rendered in the old Latin version: 'quæ nullam in eo culpam habent,' which seems manifestly erroneous.

Fosse, the Fossway; one of the four Roman highways, leading from Cornwall to Lincoln; thus described by Trevisa: 'The first and gretest of the foure weyes is called Fosse, and stretcheth oute of the south into the north, and begynneth from the corner of Cornewaille, and passeth forth by Devenshyre, by Somersete, and forth besides Tetbury, upon Cotteswold, beside Coventre, unto Leycestre, and so forth by wylde pleynes toward Newerke, and endeth at Lincoln.' Polychron., lib. i. c. 45.

FOSTER
FOSTER-LEAN (n.)

In the laws of Ine, the word 'foster' seems equivalent to 'foster-lean,' the remuneration fixed for the rearing of a foster-child. It is variously rendered in the Latin version: In In. 26. 'to porche' is translated victus; Ib. 38. ad nutriendum, Ib. 70. corredium; while in Edm. B. 2. 'porcep-lean' is left in Saxon untranslated, the Latin neuter termination only being added. To Mr. Price's explanation of this passage I cannot assent (see his note), the word 'foster' and its compounds never, to my knowledge, being applied to the rearing or support of any but a child: the definition of the word in O. N. implying as much, viz. 'at fostra,' nutrire; also 'fostr,' fætus, partus, embryo; 'fostri, fostra,' nutritor, nutrix, alumnus, alumna; 'fostbrodir,' collactaneus; 'fôstur-land,' patria; 'fôstur-laun,' nutricia. In fact, judging from the passages just cited, it would seem that the custom of placing a child out, as foster son or daughter, with another having a child or children, so that all might be bred and educated together, was as prevalent among the Anglo-Saxons as among the Scandinavian nations. The law of Edmund therefore simply provides for the expense of rearing the child, for which the bridegroom is required to give his 'wed,' under the guarantee of his friends. 'Cild-festre,' In. 63., is evidently a nurse, and is

FOSTER, &c. — continued.

rendered nutrix in the Latin version. The passage quoted by Grimm, from the Laws of Sweden, refers to a later period, when the word had probably lost its original import: 'Fostri, altn. alumnus; in den Schwed. gesetzen ist fostre ein im haus erzogener knecht, der milder behandelt wurde, als præl und annödug: In the Swedish laws fostre is a slave reared in the house, who was more gently treated than the præl or annödug.' D.R.A., p. 319.

Francplegium. See Frid-borg.

Freondleas-man. See Outlaw.

FRIÖ (m. n.) — O.H.G. fridu; O.N. fridr — peace; also freedom from molestation; privilege of granting protection, Alf. 5.

FRIÖ-BORG (m.), frankpledge. The system so called by which all free persons, whose rank and property were not in themselves an adequate security for good behaviour, were associated in tithings, whose members were mutual security or 'borh' for each other. The chief of each of these associations was the tithing man. Of this institution, which in its perfected form dates probably from the Conquest (though traces of it appear in Edgar's laws (II. 6. S. 3.), where it is directed that every man have a 'borh'), must not be confounded with the older one of the Saxon times, by which every 'hlaford' was bound to have his 'man' in his 'borh,' or under his guarantee; nor has it any connexion with the 'frio-gilds,' or voluntary associations formed for the security of property. The 'hundredes ealdor' or 'hundredes man,' mentioned in the laws of Edgar, was undoubtedly the 'aldormannus' of later times. See Spelm. voce Friborga, and Sir F. Palgrave's English Commonwealth, vol. i. p. 191-204.

FRIÖ-GEARD (m.), an asylum, sanctuary. From N. P.L. 54. it appears that a 'frio-geard' was the enclosure around a sacred stone, tree, or fountain, and that it was regarded as a sanctuary. This is the German 'fried-hof,' thus defined by Haltaus: 'area circa templum consecrata, asyli perinde munita, vulgo cœmeterium.' 'Friedhof' also in modern German signifies a churchyard. In a sermon of S. Eligius in D'Achery Spicileg., quoted by Grimm, we have the following passage: 'Nullus christianus ad fana, vel ad petras, vel ad fontes, vel ad arbores ---- vota reddere præsumat.' Burchhard also enjoins (Interrog. 42.) that inquiry be made, 'si aliquis vota ad arbores, vel ad fontes, vel ad lapides faciat? In another place he speaks of 'lapides quos in ruinosis locis et sylvestribus venerantur.' further information on this subject, see Grimm, D. M., pp. 47. & 371., Anhang, pp. xxx. xxxiii. and passim.

FRIÖ-GILD (n.), a gild for the maintenance of peace and security. This name was given to certain gilds or clubs established during or before the reign of king Athelstan, for the repression of theft, the tracing of stolen cattle, and the indemnification of parties robbed, by means of a common fund raised by subscription of the members (gegildan). The statutes of these gilds are contained in the JUDICIA CIVITATIS LUNDONIE (Ath. V.), set forth, under royal authority, by the bishop and reeves of the city.

Frið-sócn (f:), Frið-sról (m.), an asylum, sanctuary.

FRIÖ-SPLOT; the latter part of this compound I take to be equivalent to the English spot and plot, and 'friö-splot' to mean the same as 'friö-geard,' a spot or plot of land, encircling some stone, tree, or well, considered sacred, and therefore affording sanctuary to criminals. The word 'splot,' signifying spot, macula, occurs once in the poem of the Phænix: 'ponne if re finta pægne gedæleð fum bnun rum baru rum blacum reloccum peanolice bereceð.' Cod. Exon. fol. 60.

FRUM-GYLD (n.), the first payment or instalment of the 'wer.' See note p. 75.

FRUM-STOL (m.), original or paternal dwelling. With the explanation of this word in note to Ine 38. I wholly disagree. Alfred in his Boethius, speaking of the four elements, says: 'Dabbað þeah þa reopen rhum-rtol hiopaæthpilc hiopaætenne rteðe:' where 'rhum-rtol' and 'azen rteðe' are evidently synonymous expressions. The Latin version has 'primum captale.'

FRUM-TALU (f.), prima testium dicta, prima delatio. Lye.

FRUM-TYHTLE (f.), prima accusatio, prima calumnia.

FRYMÖ, $\{f:\}$, the affording harbour and entertainment to any , FYRMÖ, $\{f:\}$ one.

FUL, FULE,

The Saxon on rul' and on rulan' is rendered cum damnatis in the Latin version, and is fully explained by Haltaus, viz.: 'Sepelire aliquem in campo, i.e. in loco profano, non dedicato, extra fines cometerii aut templi, ut canones volunt sepeliri excommunicatos, hæreticos, usurarios manifestos,' &c. 'Tales criminosi sortiri dicuntur sepulturam caninam, asininam.' Glossarium, voce Begraben.

FULL-WÎTE. See WITE.

Furst and Fondung, space of time, and trial; A. S. ryprt y rondung.

FYHT-WITE (n.), one of the fines incurred for homicide, and one of the rights of the crown.

Fyrd { (f.), exercitus, expeditio, army, the military array of the whole country. Contribution to the 'fyrd' was one of the imposts forming the Trinoda necessitas. By the simple appellation of 'fyrd' the land force is to be understood; the naval armament was denominated the 'scip-fyrd' and 'scip-fyroung.' See Trinoda Necessitas.

FYRD-WITE (n.), the fine incurred by neglecting to join the 'fyrd;' one of the rights of the crown.

FYRHT, one of the superstitious practices prohibited by C.S. 5., and N.P.L. 48. I regret my inability to offer any satisfactory illustration as to what it consisted in.

G.

GENGANG, pregnant? See note to Ethb. 84.

GAFOL (n.), vectigal, portorium, census, rent.

- GAFOL-GELDA, one paying 'gafol' or rent for the land which he occupies, opposed to 'land-agende,' land-owner.
- GAFOL-HWITEL, a whittle or blanket (the terms are synonymous, both being derived from the colour) of a size and quality to render it a legal tender, in the place of coin, as payment of 'gafol' or rent for a 'hiwisc,' or hide of land. The value of such a whittle, fixed by this rider to the law of Ine 44. at sixpence, is its 'angylde.'
- GAFOL-LAND (n.), land let out for rent or services; the person occupying such land was termed 'unland-agende,' in opposition to 'land-agende,' signifying the proprietor of the same. Land held by military tenure was exempt from all other services.
- GAFOL-SWAN PORCARIUS AD CENSUM. A swineherd paying a certain census, or portion of his stock, for the privilege of feeding pigs on the land.
- GAFOL-YR δ (f.), the cultivation of 'gafol-land.'
- Galdor (m.), cantio, incantatio, enchantment; from A.S. zalan, O. H.G. kalan, O. N. gala, to sing, enchant, at galldra, fascinare.
- GANG-DAGAS (pl. m.), Rogation days, 'seu tres dies Rogationum, qui celebrantur ante Ascensionem Domini, juxta morem ecclesiæ Gallicanæ, constituit S. Mamertus, Viennensis episcopus.' See Du Cange, voce Rogationes. It is singular

GANG-DAGAS — continued.

that the Icelandic writers, by the transposition of two letters, reading 'gagn' for the A. S. 'zanz,' give a totally different derivation to the word; the word 'gagn' (mod. Dan. 'gavn') signifying utilitas, usus. 'Gagn-dagar' are therefore, according to them, 'dies utilitatis, (publicæ) feriæ emolumenti. Sic dicebantur dies sancti, qui incipiebant quinta hebdomade post festum Paschatos peracta, in id instituti ut preces pro salute publica, terræ fertilitate, paceque fierent.' That the term as written and understood by us was also known to them, appears from the following: 'legitur et gang-dagar, dies amburbalium vel processionis.' See Ind. ad Gragas.

GEGEMED, see note to Ethb. 62. In Ms. Reg. 12. D. xvII. f. 125. b. a recipe for this injury is given; beginning, 'Lip man pie zezymed y ou hine zelacnian proble. zepeoh out he pie topeand conne ou inzanze, &c.,' but which affords no clue to the signification of the word.

GEGILDA — CONGILDO — member of a gild.

- GILD (n.), a club or association of persons instituted for mutual protection and benefit. Of these institutions there were various kinds, viz. 'Frið-gilds,' (which see sub voce); Trades' Gilds (the original of our civic companies); Merchants' Gilds; Ecclesiastical Gilds. Mention is made of Gilds in Capitul. of 779. § 16. and Legg. Langob. Carol. M. 13. For an ample and interesting account of these institutions the reader may consult 'Das Gildenwesen im Mittelalter von Dr. W. E. Wilda,' 8vo. 1831, a work of great research and merit.
- God-Borh (m.) Dei Plegium. A divine or sacred security, the nature of which is unknown. See note to Alf. 33.
- God-Bôt (f.), an atonement made to the church, which, if commuted into a pecuniary mulct, or 'feoh-bôt,' was to be employed in the manner directed by Eth.VI. 51.
- GRIÖ (n.)—O. N. griö. Peace, protection, particularly that granted by the king or other high official to those requiring it; also the privilege of security within a certain distance, i. e. within the verge of the king's court. It differs from 'friö,' the latter signifying the general peace and security of the state, also that existing between one state and another; the two terms seem, however (as in the instance of 'church-friö' and 'church-griö'), to be sometimes used indiscriminately. See Mr. Price's note to E. & G. 1.
- GUARDIREVE, defined Wil. I. 28. as præpositus custodum (viarum publicarum).
- GYRT (f.). See Dos.

Η.

HABA; some copies read 'Bada,' qu. Bath?

Had-bot (f.) — Ordinis Emendatio. Compensation or atonement for injury done to persons in holy orders, or 'had-bryce.'

HAD-BRYCE (m.) — ORDINIS INFRACTURA. Injury done to persons in holy orders.

HERFEST-HANDFUL — MANIPULUS AUGUSTI. A due belonging to the husbandman (æhteman) on an estate, the nature of which is sufficiently expressed by its name.

HETTIAN, to scalp; see note to C.S. 30.

Haligdom (m.), relics of saints; the Gospels.

 $\left\{\begin{array}{l} \text{Halle-gemot.} \\ \text{Halimotum.} \end{array}\right\}$ See GEmot.

Ham-fare - Fr. hemfare. See Ham-socn.

HAM-SCYLD, see note to Ethb. 32.

Hâm-sốch (f.)

- Domus Invasio. A breach of the peace by forcible entry into a man's house. For ample illustration, see H. LXXX. 10, 11.; see also 'Ham-sốch' was one of the rights of the crown.

HAND-GRIÖ. See GRIÖ.

Hand-hæbbende, i.e. having in hand: a thief is said to be 'hand-hæbbende,' who is taken with the stolen goods upon him in manu, with the mainour.

HARAIDUM, the same as the 'Herireita' of the Bavarian Laws, where (tit. iii. cap. 7.) it is enacted: 'Si quis liberum hostili manu cinxerit, quod herireita dicunt, id est cum quadraginta duobus clypeis, et sagittam in curtim projecerit, aut quodcunque telorum genus, cum quadraginta solidis componat. Si autem minus fuerint scuta, veruntamen ita per vim injuste cinxerit, quod heimzuht vocant, cum duodecim solidis componat.' On the distinction between herereita (haraidum) and heimzuht (ham-socn) Wachter says: 'Invasio erat major, vel minor, pro numero aggressorum. Si quis agmine scutato domum cinxisset numero armatorum xlii., tunc committebat magnam invasionem; si minori numero, minorem. Illa dicebatur herireita, hoc est invasio militaris, ab 'her,' exercitus, quia talis

HARAIDUM - continued.

numerus censebatur exercitus: hæc 'heimsuht,' hoc est, invasio domus, ab 'heim,' domus, et 'suchen,' infestare.' Gloss. voce Reite.

Compare the above with In. 13.

Heafod-weard (f.) — Custodia Capitis. One of the services to be rendered by a thane and a 'geneat' or villanus (see R. S. vol. i. p. 432, 433.), but in what it consisted seems uncertain. 'Custodia' is defined by Du Cange as 'obligatio qua tenentur vassalli excubias facere in castris dominorum, quas vulgo gardes vocant.' Custodia capitis may therefore signify holding watch at the tent of the lord.

Heals-fang (m.) — Apprehensio Colli; Collistrigium—a kind of pillory: this is at least the original signification of the term, but which seems to have fallen into disuse at a very early period, no mention of it in that sense occurring in all these laws, where it merely means a certain fine graduated according to the degree of the offender, and was probably the amount of mulct annexed to every class as a commutation for a degrading punishment. 'Healsfang' may therefore be defined: 'The sum every man sentenced to the pillory would have had to pay to save him from that punishment, had it been in use.'

HEARM. See HREAM.

Hemoldborh, {
 a title to possession; from O. N. 'heimilld' (Dan. 'hjemmel,' just claim to a thing), and 'borh.' The admission of this old Norsk term into the laws of the Conqueror it is difficult to account for; it is not found in any Anglo-Saxon law extant; and admitting these laws (whether originally in French or Latin) to be genuine, we know from Dudo de St. Quentin (lib. iii. p. 112.) and Benoît de Sainte More, that William I., Duke of Normandy (slain an. 942, above a century before the battle of Hastings,) was obliged to send his son and successor, Richard I., to Bayeux to learn the Norman tongue, the French having already completely supplanted it at Rouen and other parts of Upper Normandy.

It is a rare instance of the kind, nearly every trace of the conquest of Neustria by the North-men being limited to the names of certain places.

HENGEN, ergastulum, a prison, in which those confined were condemned to hard labour.

HENGWITE, the fine for letting an offender escape from prison (hengen).

HEORÖFÆST — HUDEFÆST — having a fixed dwelling, keeping house. A man was designated 'heorő-fæst' to distinguish him from a lower class of freemen; viz., 'folgeras (folgarii),' who had no habitations of their own, but were house retainers of their lord.

Heord-penig (m.). See Rom-feoh.

HERE (m.), an army; but, according to In. 13., any number of men above thirty-five.

Here-geatu for Here-geatwu (f.) — Relevatio, Relevium, Relief — heriot. The O.G. 'heergewäte,' apparatus bellicus, military habiliments or equipments, which, after the death of the vassal, escheated to the sovereign or lord, to whom they were delivered by the heir. In the Conqueror's time this became the law of relief, defined by Haltaus as, 'Relevium seu præstatio heredum, qui ut successionem hereditariam in feudo relevent, vel equum defuncti vasalli, vel alias res, vel pecuniæ summam offerre tenentur domino.' See Gloss. voce Hergewette. For the more modern law of heriots, see Blackstone, book ii. c. 6. 28.

HERE-TEAM (m.) — CONDUCTIO EXERCITUS. A band of armed men; also the crime of assembling a band of armed men.

HERE-TOGA (from 'here,' an army, and 'teohan,' to draw or lead,) dux belli. This title, among the Anglo-Saxons, was, as it implies, given originally to the leader of an army; but in the latter days of the monarchy it seems to have become hereditary in the families of those on whom the government of the provinces formed out of the kingdoms of the heptarchy were bestowed, and was sometimes used synonymously with those of 'ealdorman' and 'eorl.'

HERGRIPA, the same as FEAX-FANG, which see.

HERIOT. See HERE-GEATU.

HIKENILDE STRETE, one of the four Roman Roads of Britain, leading from St. David's to Tynemouth, thus described by Trevisa: 'The fourthe is called Rykenyldestrete, and stretcheth forth by Worchestre, by Wycombe, by Byrmyngeham, by Lichefeld, by Derby, by Chestrefeld, by Yorke, and forth unto Tynmouthe.' Polychron, lib. i. c. 45.

Rykenildestrete has, I suspect, originated in a clerical error for Hikenildestrete.

HION (f.), see note to Ethb. 36.

HIRED-MAN, a man belonging to the 'hired' or family of a HIRE-MAN, lord; a retainer.

HIWISC, the same as a hide (of land), see Wg. 7.

- HLAF-ÆTA (m.), literally 'loaf-' or 'bread-eater,' and correlative to 'hlaf-ord.' This term was applicable to all servants who were fed at their master's cost, like the O.G. 'brotessan' or 'brotlinge,' described by Haltaus as, famuli, ministeriales, domestici pane domini victitantes. See Gloss. in voce, and Grimm, D.R.A., p. 318. § 28.
- HLAFORDES GIFU (f.) In what this impost consisted does not anywhere, to my knowledge, appear. It seems to be the 'Dominatio,' explained by Du Cange as tributum quod domino præstatur, and also the 'Herren-Gult' of the Germans, mentioned in a charter of the abbot of Kænigsbrunn, an. 1479, quoted by Haltaus, where it is stated to be an annual payment of ten guilders.
- HLAFORD-SOCN. See SOCN.
- HLOÖ (f.), any number of men from eight inclusive to thirty-five, In. 13.
- HLOO-BOT (f.), compensation for homicide committed by a
- HLYTAS (m. pl.), lots, sortes, sortilegium; verb, 'hleotan,' sortiri.
 See Sortes Sanctorum.
- Hogge, the town of Sluys, called also Sluys Hogge, or Hogge Sluys, formerly a flourishing town, and regarded as the port of Bruges: it was even emphatically styled the port of Flanders. Sanderi Flandria Illustrata, lib. iv. p. 211. From Eth. IV. 2. it appears that the local names Normannia, Francia, Hogge, Leodium, Nivella, are made to express the men of those places, who, on payment of toll and scavage (ostensio), were allowed to trade through the country.
- HOLD O. N. HÖLLDR. In its old Norse acceptation, this title is defined by Biörn Haldorsen as dominus fundi aviti vel allodialis. The index to the Gragas describes a 'höldr' as colonus odalicus, vel fundum avitum tenens. From the amount of his wergild, which is double that of a priest or a thane, it is evident that he enjoyed a very high rank in the state. The title was most probably introduced by the Danes, and limited to East Anglia.
- Homola—Collificium. What is meant by the Latin translation of this word is as unknown as the derivation of the original. With respect to the latter, I am at a loss even to form a conjecture, but the Latin 'radere ad collificium' (which is evidently a compound of collum and figere,) may probably be rendered: shave him so as to fit him for the pillory (collistrigium). The following phrases tend to corroborate the above: 'dimidio capite tonderi,' a punishment for slaves and thieves; 'tondere in crucem, in modum furis;'

Homola - continued.

'si aliquis deprehenditur cum furto minoris valoris, scopis punitur, et buccas, et crines sui per medium caput suum tondentur.' (See Grimm, D. R. A., p. 702. See also Edg. C. 20.) A passage in 'The Lyfe of Ipomedon,' where the hero is made to disguise himself, may possibly bear some relation to this law of Alfred: -

> Righte vnsemely, on queynte manere, He hym dight, as ye shall here. A barber he callyd, withouten more, And shove hym bothe behynd and before, Queyntly endentyd, out and in; And also he shove half his chynne: He seemyd a fole, that queynte sire, Bothe by hede and by atyre.' Weber's Metrical Romances, vol. ii. p. 340.

Lambarde renders 'to homolan,' morionis in morem. His interpretation, whether conjectural or not, receives considerable support from the above extract.

Hor-cwene, see note to E. & G. 11.

HORDERE, treasurer; such was at least the original import of the term, for in later times his functions seem by no means to have been limited to the care of the 'hord-ern,' as we find him and the reeve classed together in the penalty, in case of being cognizant of theft, and here he is named the king's 'hordere.' (Ath. I. 3.) He afterwards occurs, together with the reeve and mass-priest, as one of the officials empowered to ratify all bargains made before them.

Hors-wealh, the Wealh or Briton, who had the care of the (king's) horses. This term seems to justify the inference that, about the time of Ine, the British inhabitants of the country excelled in the knowledge and treatment of horses, and were consequently preferred as keepers of the royal

Hors-weard (f.), a service or corvée, consisting in watching the horses of the lord.

HREAC-COPP -- MACHOLI SUMMITAS -- the cap or summit of the rick. In the glossaries the definition given of macholum is horreum sine tecto, which is not applicable to the passage in question (vol. i. p. 440, 441). Spelman, however, adds: 'Habetur macholum pro ipsa frugum seu garborum strue, quam hodie dicimus a reach or stack of corn. Hujus olim ad constructionem epulari solebant agricolæ et messores.' Hence it appears that this was a treat given to the labourers on capping, i. e. completing, the rick or stack.

'Hreac-croppum' in the Latin text is manifestly an error

of the copyist for 'hreac-coppum.'

HREAM ((m.) - UTHESIUM vel HUTESIUM - Strepitans clamor et ejulatio, quibus fugientem latronem et rei capitalis HEARM sontem excipientes omnes tenentur prosequi, donec malefactor deprehendatur. Angl. 'hue and cry;' a Gall. 'huyer,' ejulare, exclamare;' Spelm. voce Hutesium, who adds from Bracton the following, which is in strict conformity with the Saxon law: 'Omnes tam milites quam alii, qui sunt quindecim annorum et amplius, jurare debent, quod utlagatos, murdritores, robbatores, et burglatores non receptabunt, —— et si hutesium vel clamorem de talibus audiverint, statim audito clamore sequantur cum familia et hominibus de terra sua.' Lib. iii. tr. 2. cap. 1. phrase 'hentan mid hearme,' see note to E. & G. 6. above process is identical with the Clumeur de Haro of the Normans, for which see Du Cange.

HUNDRED (n.), a subdivision of the country, the nature of which is not known with certainty. In the Dialogus de Scaccario it is said, that a hundred 'ex hydarum aliquot centenariis, sed non determinatis constat; quidam enim ex pluribus, quidam ex paucioribus constat.' Some accounts make it consist of precisely a hundred hides, others of a hundred tithings, or of a hundred free families. Certain it is, that, whatever may have been its original organization, the hundred, at the period when it became known to us, differed greatly as to extent, in the several parts of England. This division is ascribed to King Alfred, and he may possibly have introduced it into England, though in Germany it dates from a very remote period, where it was established among the Franks in the sixth century. In the Capitularies of Charlemagne we meet with it in the form known among us. See Capit. lib. iii. c. 10. & passim.

To Alfred's claim, as the author of this division in England, it may be objected, that the hundred is named in the Penitential of Ecgbert, but this objection is not fatal; it is there mentioned in the rubric only, to which it seems attached as an afterthought, and does not appear in the text, between which and the rubric there is little accordance; and, moreover, it is evident from its dialect, that the Penitential has not reached us in its original state, being bereft of every vestige of its Northumbrian origin, and, in its present dress, is most probably much later than the time

of Alfred.

An interesting schedule in Saxon of the hundreds of Northamptonshire is given in Introd. to Domesday, vol. i. p. 185.

HUNDREDES EALDOR, ALDERMANNUS HUNDRETI - the presiding officer in the hundred court. From Hundredes Man, the laws of Edgar it would seem that these two denominations apply to the same functionary,

HUNDREDES EALDOR, &c. - continued.

though on the continent there appears to have existed a considerable difference in authority between the Centgrafius and the Centenarius. Cf. Eccardi Not. ad Pact. Leg. Sal. Antiq. ap. Canciani, t. ii. p. 87.

Hundred-gemot. See Gemot.

Husting—A. S. Hûs-ping (n.)—council, court, triounal; apparently so called from its being held within a building, at a time when other courts were held in the open air. It was a local court, the functions of which are recited in Ed. C. vol. i. p. 456. n.²., upon which, however, no great reliance is to be placed, the whole piece being manifestly an interpolation, and, in one clause, describing the Court of Husting in a manner corresponding rather to the Court of Exchequer or the King's Bench; in short, as Spelman justly remarks, 'Galfridum Monemutensem totum spirat.' It is, however, justly termed one of the king's courts, and there may anciently have been times, when the Court of Exchequer was held at the London Hustings, as was afterwards the case in 18 Edw. I. Madox, Hist. Excheq. ch. 20. 85.

There were Hustings at York, Winchester, Lincoln, Shepey, and in other places, which appear to have been courts of the same nature as the London Hustings.

- HWATA (m.?), augury, divination. What it consisted in appears from Ecg. P. II. 23. Its derivation is uncertain. From the weak form, we have, Lev. xix. 26. the gen. 'hpatena.' I am not aware of having met with the nom. sing. of the plural 'hpata.'
- Hid (f.), hide, skin. The phrase to pay with his hide, or suffer in his hide, is applicable only to the servile portion of the community, scourging being the punishment inflicted on slaves for offences which freemen atoned for by a pecuniary mulct. The slave seems, however, to have had the option either of undergoing the punishment, or of commuting it by a certain payment called 'hid-gild.'
- HYD (f.), a measure of land, containing at present a hundred acres, which quantity is also assigned to it in the Dialogus de Scaccario. It seems, however, that the hide varied in different parts of the kingdom. In a Ms. of Malmesbury Abbey, cited by Spelman from Agarde, it is said to have consisted of ninety-six acres only: 'Virgata terræ continet viginti quatuor acras, et quatuor virgatæ constituunt unam hidam.' See Spelman voce Hida, and Introd. to Domesday, vol. i. p. 145.

For swearing according to a certain number of hides, see OATH.

HYNDEN (f.), an association of ten men, first mentioned in In. 54. (see note), where it signifies the persons from among whom the consacramentals were to be chosen in a case of deadly feud. From Ath. V. 111. it appears that the members of the 'frio-gilds' (congildones) were formed into associations of ten, the enactment running thus: 'That we count ten men together, and let the senior direct the nine in all those things that are to be done; and then let them count their hyndens together, with one hynden-man, who shall admonish the ten (i.e. the ten hyndens) for our common benefit.' Hence it would seem, that the eleven, who are to hold the money, consisted of the senior of each hynden, together with the hynden-man, who presided over the hynden of the hyndens, i. e. ten hyndens. The number XII. mentioned in Ath. V. VIII. 1. is apparently an error for xI.

HYRNES (f.), parochia, parish.

I.

IKENILDE STRETE. See HIKENILDE STRETE.

In-Borh (m.), a security, pledge, hypotheca; consisting in the chattels of a party unable to obtain a personal 'borg' or surety.

INDUCIARE, to prorogue, postpone, respectare, respite.

Infangenther, 'jurisdictio domino manerii concessa in quemcunque, sive hominum suorum sive aliorum, furti reum, et intra limites dominii sui prehensum.' Somner.

- Regale privilegium, et in antiquis diplomatibus majoribus regni frequenter concessum. De vocis latitudine non plane convenit; quidam enim exponunt de omni fure infra dominium capto; quidam de hominibus solummodo dominii; quidam de his tantum, qui cum latrocinio deprehenduntur. Certissima interpretatio a locorum usu petitur.
- 'Utfangenthef' vero dicitur latro extraneus, veniens aliunde de terra aliena, et qui captus fuit in terra ipsius, qui tales habet libertates. Sed non sequitur quod ille posset hominem suum proprium, captum extra libertatem suam, reducere usque infra libertatem suam, et ibi eum judicare ex tali libertate; debet enim quis juri subjacere, ubi delinquit: proprios enim latrones et alienos, infra libertatem suam captos, judicare possunt.' Spelman.

INFIHT or INSOCNA, violence committed on a person by one inhabiting the same dwelling.

- INFORCIARE PLACITUM, 'est cum ad illud peragendum plures judices conveniunt; renforcer la cour.' Du Cange.
- Inlagian Inlegiare to in-law, render law-worthy. This is the usual acceptation of the term, but in H. LIII. 3. it is evidently the French 'enlegier,' in legem seu in jus quempiam mittere. Du Cange.
- INLAND (n.), 'terra dominicalis, pars manerii dominica,' Spelm., demesne land. That part of a domain which the lord retained in his own hands, in contradistinction to 'út-land,' outland, or 'geneat-land,' (for that the two terms are synonymous is evident from Edg. I. 1.,) terra tenementalis, signifying land granted out for services.
- INTERCIARE Fr. entiercer. 'In manum tertiam ponere, tertio tradere, sequestrare. Proprie autem dicitur res intertiari, cum furto sublata, et alteri vendita, a domino repetitur ab eo penes quem deprehenditur.' See Spelm. and Du Cange.
- Invultuacio, a species of witchcraft, the perpetrators of which were called *vultivoli*, and are thus described by John of Salisbury: 'Qui ad affectus hominum immutandos, in molliori materia, cera forte vel limo, eorum quos pervertere nituntur effigies exprimunt.' De Nugis Curial. lib. i. c. 12. To this superstition Virgil alludes:—

'Limus ut hic durescit, et hæc ut cera liquescit, Uno eodemque igni, sic nostro Daphnis amore.'

Of the practice of this superstition, both in England and Scotland, many instances are to be met with; among the most remarkable, that of Eleanor Cobham, duchess of Gloucester, and Stacey, servant to George duke of Clarence.

L.

LAAD-RING, see note to Ethb. 7.

Lâd (f.), purgation, exculpation. Of the 'lâd' the following kinds occur: — 1. That wherein the accused cleared himself by his own oath, supported by the oaths of his consacramentals (compurgators), according to the number of which the 'lâd' was said to be either simple or threefold.

2. Ordeal; of which there were two kinds, viz., that of hot iron, and water ordeal. When the iron weighed one pound, it was single or simple ordeal; when it weighed three pounds, the ordeal was said to be threefold. 3. Corsnæd, which see sub voce. When the number of consacramentals was regulated by the 'wêr' of the accused it was called a 'wêr-lâd,' or, as it is defined in H. Lxiv. 4., 'Pernegatio secundum natale, quæ est werelada.' 'Plena lada' is identical with 'be fullan åbe' in C. S. 29., meaning,

LAD - continued.

probably, that the 'lad' be executed without any remission, or relaxation, with regard to the number of compurgators.

- LÃD (f.) SEAM; SUMMAGIUM. A service, which consisted in supplying the lord with beasts of burthen, or, as defined by Roquefort (voce Somey): 'Service qu'un vassal devoit à son seigneur, et qui consistoit à faire faire quelques voyages par ses bêtes de somme.' See Spelman sub voce, and Du Cange voce Sagma.
- LET LITUS, LIDUS, LETUS. One of a class between servile and free. According to Legg. Langob. Car. Magn. 83., equivalent with fiscalinus: 'Aldiones ea lege vivant in Italia, in servitute dominorum soum, qua fiscalini vel liti vivunt in Francia.' The follows passages will serve to show the distinction between litus and servus: 'Si quis servum suum tributarium aut litum fecerit.' Lex Rip. 62. Inter cxx. homines, nobiles et ingenuos, similiter et litos, servum et ancillam eidem ecclesiæ tribuant.' Sap. de Part. Sax. 15. 'Qui hominem ingenuum occider idos cc., Sax. 15. 'Qui hominem ingenuum occideration sition for a noble was 11 pounds; for a freeman, $5\frac{1}{3}$, or 5 pounds 6 ounces; for a litus, 2 pounds 9 ounces; for a slave, 1 pound $4\frac{1}{2}$ ounces. These particulars are noticed, because, according to some traditions, Kent was settled in part by Frisians. These Læti or Leti were Germans, who voluntarily placed themselves under the Roman government, and received lands (terræ læticæ) to cultivate, for which they probably paid rent, and were obligated to perform military service. If the enactment of Ethb. 26. be genuine, and not servilely copied from some Germanic code by the compiler of those laws, the question presents itself, at what period came this class of persons into Kent? The most obvious solution seems to be that they must have been foreigners or their descendants settled here during the Roman government, and that the high value set upon their lives was in consequence of their consanguinity with the Germanic conquerors of the country. See Grimm's D. R. A., p. 305-309. Graff's Sprachschatz, vol. ii. p. 190. Eichhorn, i. p. 319. edit. 1834. Palgrave, i. p. 354.
- Læð, Lathe, a division or district so called, peculiar to the county of Kent. It is thus described by Spelman: 'Est portio comitatus plures continens hundredos seu Wapentachia, suoque olim subaudiens magistratui, quem ledgrevium appellabant.' He then cites Ed. C. 31.: 'In quibusdam vero provinciis, Anglice vocabatur læð, quod isti dicunt örihinge.' It is, however, to be observed that Ms. L. reads 'ciþinge' instead of 'phihinge.'

Lagu (f.) Law. This word was also used to express the territory or district in which a particular law was in force, as 'Dena lagu,' 'Mercna lagu,' &c. which may be looked upon as abbreviated forms of the district under Danish law, Mercian law, &c. without supposing, with Bishop Nicholson, that in these instances the word 'lagu' does not stand for law, but for regio, provincia. See Præfatio ad Wilkins, LL. Anglo-Sax. p. xvi.

LAH-COP, see note to Eth. III. 3.

LAH-MAN — LAGEMANNUS. The O. N. Lögmaðr, thus defined in the Index to the Gragas: 'Jurisconsultus, nomophylax, qui leges rogaret et proclamaret, et quod justum sit et legibus consentane in casu quæstionis, declararet.' The number of lagranni appointed in any particular place seems constantly to have been twelve, and it is clear that their functions were judicial. They were thanes, having 'socam et sacam super homines suos,' and are, no doubt, identical with the twelve senior thanes (ba yldestan XII. permissioned in Eth. III. 3. The institution was m t probably of Danish origin, as we generally meet with em in the Danish portion of the country, and the document of Ethelred, above referred to, seems, in great measure, to have been published for the sake of the Five Burgs. Of their rank a further judgment may be formed from the heriot of the lagemanni of Cambridge at the time of the conquest; viz. 'De harieta lage-mannorum habuit isde Picot viii. lib., et unum palefridum, et unius militis arma. Aluricus Godricsone, quando fuit vicecomes, habuit harietam unius istorum xx. sol.' Domesday, vol. i. fol. 189.

LAH-SLIT (m.n.?), a mulct for offences committed by the Danes, for which the English were condemned in the 'wite.' The 'lah-slit' of a priest refusing baptism, or neglecting to fetch chrism, is (E. & G. 3.) fixed at twelve ores, but it does not follow that it was always the same. See note to E. & G. 2., which, in the opinion of Somner, gives us the 'lah-slit' of a 'twelf-hinde,' 'six-hinde,' and 'twy-hinde,' man. According to H. xi. and Lxvi. 5. it is equivalent to the 'plena wita,' or the 'negatio cum ki.' In H. xxxiv. 1. it is evidently classed with the king's wite, or 120 shillings. That the 'lah-slit' varied with the 'wite' seems certain, but that it was always equal to the 'wite' is a point yet remaining in doubt.

Land-Agende,
Land-Hlaford,
C. N. 'landeigandi, dominus fundi, colonus prædiatus, si non odelicus.'

Land-cop,
Land-cop,
Somner.

Purchase of land: 'contractus vel transactiones præditoriæ de terris, scil. aut venditioni expositis, aut ad censum vel emphyteusin elocatis.'

(See note to Eth. III. 3.)

LAPIS. See OATH.

Leger-wita,

A. S. Leger-vice. 'Stupri seu concubitus illegitimi mulcta: in adulteros, fornicatores, virginumque corruptores animadversio. Ad maneriorum dominos (nescio an ad omnes ex consuetudine) olim pertinuit jurisdictio de nativis suis (id est, servis et ancillis) corruptis cognoscendi, mulctamque delinquentibus tam viris quam fœminis inferendi. Ad quosdam etiam non de his solum, sed et de aliis quibuscunque, intra dominium ipsorum sic peccantibus. Convenire videtur Fletæ, lib. i. c. 47. et aliorum opinio, qui laierwite dicunt esse consuetudinem vindicandi adulterium, et fornicationem, in quoslibet delinquentes.' Spelman.

LEOD (m.?) vir, homo; see note to Ethb. 2. and Gloss. to Kemble's Beowulf, voce Leode.

LEOD-GELD (n.), or simply, LEOD (m.), the 'wer-gild' so called in the laws of Ethelbirht. See WER-GILD.

LEODIUM, Liege. See Hogge.

LEOHT-GESCEOT (n.?) — SYMBOLUM LUMINIS. A tax for supplying the church with lights.

Lestagium, Lastage, a duty laid on the cargo of a ship. 'Consuetudo exacta in nundinis et mercibus.' Bromton.

Liblac (n.?) Veneficium, witchcraft, particularly that kind which consisted in the compounding and administering of drugs and philtres. O. H. G. luppi, maleficium; luppôn, medicare; (M. H. G. lüppen, venenare); luppari, veneficus. Wieland, in Oberon, says:—

' Der Ritter steigt herab, und ungesäumt erscheint,

'Ganz in verlupptem Stahl, sein trotzig sichrer Feind.' which is explained in his Glossary: 'in bezauberten Waffen. Luppen, verluppen, hiess in der alten Allemannischen Sprache vergiften; daher verlüppte Pfeile. Weil aber, wie Wachter wohl anmerkt, im gemeinen Volksglauben giftmischen und zaubern verwandte und associierte Begriffe sind, so bekamen die Worte luppen, verluppt, auch die Bedeutung von zaubern und bezaubert. So sagt, zum Beispiel, König Tyrol (beym Goldast), Der konnte luppen (d. i. zaubern) mit die (dem) Speer; und der Dichter Nithart (ebenfalls in Goldasts Parænet.) Zoverluppe für Zauber, fascinum magicum.'

Lic-wigling (f.). See Wiglere.

Liesing, [-O. N. leysingi - libertus. The Danish 'lysing' and Saxon 'ceorl' appear to have been on an equal footing.

LIGATURE, 'Amuleta quædam ad arcendos et depellendos morbos, quæ aut ad collum suspendebantur, aut circa alias corporis partes alligabantur.' Du Cange. These ligaturæ or bindings consisted either in bands or knotted strings. those by whom they were prepared being called obligatores. This superstition seems to have been much used on the The Salic law (xxII. 4.) says: 'Si quis alteri continent. aliquod maleficium superjactaverit, sive cum ligaturis in aliquo loco miserit.' Lex Visigoth., vi. 2. 4. 'Ut clerici vel laici phylacteria, vel falsas scriptiones aut ligaturas, quæ imprudentes pro febribus aut aliis pestibus adjuvare putant, nullo modo ab illis vel a quoquam christiano fiant.' Cap. vi. 72. 'Admoneant sacerdotes, non ligaturas ossium vel herbarum cuiquam adhibitas prodesse, sed hæc esse laqueos et insidias antiqui hostis.' See Grimm, D. M., p. 630.

Ligius, a person bound to another by a solemn tie or engagement. It is now used to express the relation of a subject to his king; hence our word allegiance; but formerly a person might be the liegeman of a subject, as appears from a charter of the abbot of Ramsey (Lib. Rames. § 244.), and in Glanvile (Lib. 7. § 10.), those are termed 'capitales domini, quibus ligeantiam debent, sicut de primis eorum feodis.' There can be no doubt that the word is used here in its primitive sense.

A liegeman was antiently bound to his liege lord against all men, without exception, but Frederic Barbarossa, in 1152, 'cavit imperatorem in omni fidelitatis sacramento excipiendum,' in which he was followed by other princes; and the feudal law added, 'antiquiores dominos eximendos;' hence the modern clause: 'salva fide domino nostro regi, et aliis dominis meis,' which was unknown to more antient

times.

Lighagium, the right of cutting wood in a forest; also the payment for the privilege of cutting wood.

Loc-bore—Capillata. One entitled by her rank to wear long hair. Among the Goths we find mention of the capillati or κομήται; these did not, however, belong to the highest class, but took rank after the pileati, from whom the kings and priests were chosen. See Grimm, D. R. A., pp. 239. 240. 286. See also note to Ethb. 73., where the word appears to be merely a gloss to fri-wif.

LORICA. See FEUDUM.

Lyswe, see note to Ethb. 3.

LUPINUM CAPUT. See WARGUS.

M.

Mæg-Bot (f.), compensation for homicide paid by the perpetrator to the kinsmen or family ('mæg-burh') of the slain.

MÆG-BURH (m.), kindred, family.

MALLUM and MALLUS. See MEDEL.

Man-Bot (f.), a fine payable to the lord of a man slain, the amount of which was regulated by that of the 'wer.'

Manca.
Mancus.

See Money.

Amanian, to exact, admonish.

Manipulus Augusti. See Hærfæst-Handful.

Mánung, { (f.) The district within the jurisdiction of a reeve, apparently so called from his power to exercise therein one of his chief functions; viz. to exact (amánian) all fines.

Manupastus, famulus, a domestic; perhaps the same as 'hlafæta.'

Man-wyrð (n.), the value or price at which a man is estimated, according to his degree; apparently synonymous with 'wer-geld.' It occurs only in the Laws of Hlothhære & Eadric.

MARC (n.). See MONEY.

Maritacio, 'Donatio propter nuptias, id scil. quod sponsæ a sponso datur; aliter dotarium et dotalicium dictum.' The 'maritacio' has by some been considered identical with the 'morgengiva,' but in H. Lxx. 22. it is ordered, that, 'Si sponsa virum suum supervixerit, dotem, et maritacionem suam —— et morgangivam suam perpetualiter habeat.' It was more probably the 'foster-lean' or 'cild-foster' of the A. S. Laws.

Maritagium, the marriage portion, the dos, according to the Roman acceptation of the word: 'In alia enim acceptione accipitur dos secundum leges Romanas, secundum quas proprie appellatur dos id quod cum muliere datur viro, quod vulgariter dicitur maritagium.' Glanv. lib. vii. c. 1. In Ed. C. xix. maritagium is evidently either a mistake for, or used indiscriminately in the sense of, the preceding maritacio: 'cum maritagiis suis et dotibus.'

Maritagium signifies also the payment made by a feudal vassal to his lord, in whose wardship he was, for permission to marry. Spelman.

- MED-SCEAT (m.), a bribe, hush money.
- Meld-feoh (n.), delatura, information money, reward paid to an informer.
- Mentonalis, (a hedge) reaching to the chin of a person of middling stature.
- Mehel (n.) Mallum. Sermo, concio; verb mablian, to speak, harangue.
- MISCRAVATIO. See CRAVATIO.
- MISERICORDIA—AR. A penalty or fine; so called because it was not fixed by law, but left to discretion, à merci: thus defined by Du Cange: 'Pœna seu mulcta de quovis crimine, aut quavis forisfactura, nullis definita legibus, sed judicis relicta arbitrio, qui minorem vel majorem in reum pro delicti modo, decernit: non quod soleat hujusmodi mulcta irrogari confitenti, et misericordiam petenti, ut quidam volunt, sed quod ea ex misericordia judicis unde pendeat. Galli efferunt mercy, Angli amerciamentum.'
 - 'Misericordia, mulcta lenior, sic dicta, quod lenissima imponitur misericordia; graviores enim mulctas fines vocant; atrocissimas, redemptiones.' Spelman.
 - 'Est misericordia domini regis, qua quis, per juramentum legalium hominum de vicineto, eatenus amerciandus est ne aliquid de suo honorabili contenemento amittat.' Glanv. lib. ix. c. 11.
 - 'De quolibet placito, quod in comitatu deducitur et terminatur, misericordia, que inde provenit, vicecomiti debetur, que, quanta esse debeat per nullam assisam generalem determinatum est, sed, pro consuetudine singulorum comitatuum, debetur in quodam comitatu plus, in quodam minus.' Ib. c. 10.
- MISKENNING, 'Variatio loquelæ in curia; est autem loquela idem quod causa, placitum, juris sui prosecutio judicialis. Ita variare loquelam dicitur, qui aliud petit, quam quod initio et in prima litis contestatione petierat; vel qui in prosecutione juris sui non sibi constat.' Du Cange.

Persons guilty of this offence were subject to a fine, also called *miskenninga* and *meschenninga*; but as the judges were apt to levy these fines on very trivial occasions, thereby causing great vexation to the subject, they were totally abolished by king Stephen: 'Omnes exactiones, et injusticias, et meschenningas, sive per vicecomites, vel alios quoslibet male inductas, funditus extirpo.' R. Hagustald. cit. Du Cange.

See grant of right to levy this fine by Hen. II., in Madox, Formul. p. 45. Also many instances of exemptions from it in the Monasticon.

Mollis—Bedling. 'Molles (inquit Alcuinus de Offic. Divin.) sunt effeminati, qui vel barbas non habent, sive qui alterius fornicationem sustinent.' These are the μαλακοὶ mentioned by St. Paul, 1 Corinth. vi. 9. οὖτε μαλακοὶ οὖτε ἀρσενοκοῖται, κ. τ. λ.

The derivation of the Saxon term is very uncertain.

Monetagium, mintage. A payment to the lord from his tenants and vassals, on condition that he would not alter the coinage. It obtained chiefly in Normandy, and was paid every three years: it was also called 'focagium.' Du Cange.

Another species of monetagium was 'id quod monetarii, seu monetæ fabricatores, domino, cujus est moneta, exsolvunt ex monetarii fusionis et signaturæ proventibus.' Ib.

MONEY. The following descriptions of money occur in these Laws:

I.—Saxon money; viz. The Pund (libra, pondus); the Scilling (solidus); the Pening or Penig (denarius); the Sceat: of which

1 pund = 48 scill. = 240 pen. = 960 sceats. 1 scill. = 5 pen. = 20 sceats (?) 1 pen. = 4 sceats.

Besides the above, there were the Mancus and the Marc, each of the value of 30 penings; and the Ora = 16 pen.; therefore 15 oræ = 1 pound.

In H. xxxv., where it is said, 'xx. manë, quæ facient L. sol,' the shillings are Norman. See also H. Lxxvi. 4., where the Saxon shillings are reduced to Norman.

In Mercia a different calculation prevailed; viz.

1 pund = 60 scill. = 240 pen. = 250 sceats. 1 scill. = 4 pen.

Consequently, 5 Mer. scill. = 4 Sax. scill.

Also 266 thrymsas = 200 scillings; therefore, the thrymsa = 3 pen. Mercian.

II. - Norman money; of which,

1 pound = 20 shillings = 240 pence.

The maille, it is said, was equal to a halfpenny.

The mære peningas mentioned in Alf. 9. are no doubt intended for the meri denarii occurring in the Capitularies. To the quotation given in the note may be added the following from Capit. Car. Mag. ad Leg. Sal. tit. iii. c. 11.: 'Illi autem denarii, qui modo monetati sunt, si pensantes et meri fuerint, habeantur.' And in Edict. Carisiaco Car. Cal.: 'Ne aliquis bonum denarium, id est merum et bene pensantem, rejicere audeat.' Du Cange.

Money - continued.

Instead of marcs, the amount of fines, &c. is frequently found in half-marcs; a singular mode of reckoning, which must not be confounded with that still prevalent in Germany and the Northern kingdoms, and even in some parts of Scotland, where the use of the ordinal number before the word signifying half indicates that the sum mentioned is diminished by half a unit, respecting which see vol. i. p. 154. n. a.

In the Anglo-Saxon Laws there is no passage from which the value of the 'sceat' can be ascertained with certainty, though from some places in the laws of Ethelbirht it would appear, that, in Kent at least, 20 sceats were equal to 1 scilling.

In Ethb. 54. the 'bôt' for the thumb nail is said to be 3 scill., and in Ethb. 55. the 'bôt' for every other nail

(of the hand apparently), 1 scill.

In Ethb. 70. 'bôts' for the toes are said to be half as much as 'bôts' for the fingers, from which it may be conjectured, that 'bôts' for the nails were in the same pro-

But in Ethb. 72. the 'bôt' for the great toe nail is said to be 30 sceats, and the 'bôts' for every one of the other toe nails, 10 sceats; presuming therefore that these 'bôts' are equal to half the 'bôts' for the finger nails, it will follow that 30 sceats = $\frac{1}{2}$ scill., and 10 sceats = $\frac{1}{2}$ scill., or 20 sceats = 1 scill.

Again, in Ethb. 10. the 'bôt' for lying with the king's maiden is said to be 50 scill.; and in Ethb. 11. for lying with his grinding slave, 25 scill., and with one of the third class, 12 scill.; and in Ethb. 12., with his 'fed-esl,' 20 scill.

In Ethb. 16. the 'bôt' for lying with a 'ceorl's birele' is said to be 6 scill., with his second female slave, 50 sceats, and with one of the third class, 30 sceats. Now supposing the 'birele' to be to the 'ceorl' what the maiden was to the king, the 'bôt' for the 'birele' was nearly one eighth of the 'bôt' for the maiden; and supposing the 'fed-esl' to be of the same degree with the second slave, and preserving the same proportions, we have 50 sceats = $2\frac{1}{2}$ scill, and 30 sceats = $1\frac{1}{2}$ scill., which agrees with the foregoing valuation.

- Morgen-GIFU (f.) Morgangiva. Morning gift; a gift from the husband to the wife on the morning after marriage, in token of satisfaction with his choice. The 'Mor' 1-gifu' was the property of the widow after her husband death. For ampler details, see Grimm, D.R.A., p. 441.
- Morð (m.?) Goth. Maurþr. Homicidium clandestinum, murdrum cont. to 'slege,' which signifies open homicide, and

Moro - continued.

therefore not murdrum. Moro answers exactly to the French assassinat, or muerte de guet-apens, both with regard to its secrecy, and from the circumstance that, to constitute it, the consequent death of the object is not necessary, as is manifest from Ath. I. 6. The compounds 'Morodæd,' 'Moro-sliht,' 'Moro-wyrhta,' require no illustration. 'Æbere moro' was probably synonymous with 'slege.' See Murdrum.

GEMOT (n.), a mote or moot, meeting, public assembly. The various kinds were —

- 1. The 'folc-gemôt,' or general assembly of the people, whether it was held in a city or town (burg), or consisted of the whole shire. This meeting, it appears, was on extraordinary occasions summoned by the ringing of a bell, called the 'moot-bell,' though its regular meetings were annual, viz. 'in capite kalend. Maii.' See it fully described in vol. i. p. 613. n. a.
- The 'shire-gemôt,' or county court, which met twice a year. See vol. i. p. 613. n. XVI. and 619. n. XLVI.
- 3. The 'burg-gemôt,' which met thrice a year.
- 4. The 'hundred-gemôt,' or hundred court, which met twelve times a year in the Saxon times, but afterwards a full (perhaps an extraordinary) meeting of every hundred was ordered to be held twice a year. This was the sheriff's tourn, or view of frankpledge. See vol. i. p. 614. n. XVII.
- 5. Halimotum, A. S. 'Halle-gemôt,' 'conventus aulæ, hoc est curiæ dominicalis, manerii, vel baronis in villis et dominiis; seu tribuum, wardarum, et societatum, in burgis et urbibus.' See Spelm. voce Haligemot.
- 6. Wardemotus, 'wardarum conventus vel curia.'

MUFFLAS, fur or fleecy gloves for winter.

Mund, Mund-byrd, { (f.) — Mundium, Mundeburdium. Munimen, protectio, guardianship; from 'mund,' the hand; holding out the hand to, or taking another by the hand, being a token of protection; a similar idea is contained in the term 'hand-grið.' Hence 'mund-bora,' protector, patron, or literally the bearer of protection, and its abstract 'mund-byrd.'

These words are also commonly used to signify the price of violation of the 'mund,' or 'mund-bryce.' See note to Ethb. 75.

MURDRUM, secret assassination, said in Ed. C. xvi. to have been defined and the penalty fixed for it by Cnut, with a view to the security of his adherents, when he sent his army back to Denmark, though it is evidently the same with the A. S. 'moro,' which see sub voce.

MYNECEN, fem. of munuc, monialis. See NUNNE.

MYNSTER (n.) - MONASTERIUM. A minster, monastery.

MYNSTER-HAM (m.)—Ecclesiæ Mansio. Monastic habitation; perhaps the part of a monastery set apart for purposes of hospitality, or as a sanctuary for criminals.

N.

Nam (f.), namium, distress, seizure.

GENEAT (m.), villanus, a base tenant, especially one holding or enjoying land for services or rent (gafol); from neotan, to enjoy.

GENEAT-LAND (n.), land granted for services or rent (gafol).

NIVELLA, Nivelles. See Hogge.

Noffus or Naufus, a wooden coffin. Fr. 'nau' and 'nauf,' bierre, cercueil; so called from its resemblance to a ship.

Nunne—Nunna—nun. Du Cange defines nuns as 'sanctimoniales, præsertim antiquæ et senes virgines, aut sacræ viduæ; sicut enim nonnus reverentiam paternam, ita nonna maternam denotat.' From the above it would seem that the chief distinction between nuns and mynchens consisted in the superior age and strictness of the former. In C. E. 6. nuns are classed with canons, and mynchens with monks.

O.

OATH — A5; JURAMENTUM. Of oaths the following kinds are mentioned in these laws; viz.

Fore-ab (Antejuramentum); so called because it was that by which every accuser or plaintiff commenced his accusation or suit against the accused or defendant, according to H. LXIV. 1., which directs that, 'omnis tihla tractetur antejuramento, plano vel observato.' To this the defendant opposed his own 'fore-ab,' thereby pleading not guilty to the charge. The oaths both of plaintiff and defendant were supported by consacramentals, respecting the number of which (in

OATH — continued.

Wessex, Mercia, and Denelaga) see H. LXVI. 8. If the 'fore-ab' of the accuser failed, the charge was quashed, and the accused set at liberty.

The distinction into planum and observatum does not occur before the time of the Conquest. The former is defined by legists as 'non solenne, quod summarie et de plano præstatur, sine delectu verborum aut locorum;' and from Wil. II. 3. it appears to be identical with 'unfored,' and the opposite to observatum, fractum (frangens), and verborum observantiis. This is contrary to the opinion of Somner, which seems at perfect variance with the passages cited, see note to H. LXIV., where the expressions, 'juramentum observatum' and 'jurare verborum observantiis' are reasonably accounted for; but why an oath is denominated 'fractum' or 'frangens' is a question to which no satisfactory answer has hitherto been given. Formulæ of fore-oaths are given O. 2. & 3., 4. & 5.

- Rîm-số (juramentum numeri) or Ungecoren-số. This oath, as its name implies, was taken by the accused, together with the whole number of persons named by him as consacramentals; and is thus defined by Somner: 'Quod quis cum toto conjuratorum nominatorum cœtu vel numero daret;' whereas the—
- Cyre-að (juramentum electum) was the oath of a certain number only, selected by the accuser from among the persons named by the accused as consacramentals; or, 'quod quis cum quibusdam aliis conjuratoribus e majori numero selectis præstaret.'
- Cyning-số. The only mention made of this oath is in In. 54., where it is described as 'be xxx. hida (per xxx. hidas);' but whether this is meant as the definition of a 'cyning-số,' or that the particular one here required was one of thirty hides, is doubtful. For further information, see Mr. Price's elaborate notes to In. 14. & 54.; see also Phillips's Geschichte des Angelsächsischen Rechts, p. 185. It is, however, to be feared that the data afforded by the passages cited by these eminent scholars are inadequate to the formation of a basis whereon to found any certain knowledge concerning this obscure subject.
- Unceases or Unceases as. This was an oath taken on the adjustment of cases of deadly feud (fæhs), &c., and was therefore sometimes called an 'unfæhse as;' by it a man swore not to entertain hostility (ceast) against another for wrong sustained through the mur-

OATH — continued.

der of a relative: 'Cognati interfecti jusjurandum præstent, cædem ejus se non vindicaturos.'

Hyld-ab, an oath of homage or fealty. O. I. affords a formula of this oath.

Pundes wyrbe ab: 'Sic, ni fallor, dictum, quia infamatus, qui ad purgationem simplicem, juratoriam puta, admissus, in tali sua purgatione defecerat, eamque ad effectum non perduxerat, tali summa, libra sc. jure mulctabatur; ut qui in triplici purgatione (judicium tripondii audit, H. LXIV. 1.) defecerat, tribus libris, vel Lx. solidis.' The foregoing is Somner's explanation, which, as his authority in such matters is of weight, I was unwilling to omit, though I cannot agree with him in the supposition, that an oath which had failed (and therefore no oath at all) should be named from the amount of fine imposed for its non-completion. To me it appears more probable that the oath was thus denominated from its value, founded on a calculation analogous to that in Ed. I., where mention is made of an oath for one ox, which, adopting the valuation given in Ath. V. viii. 5., would be equal to an oath of thirty pence; a pound worth oath would then be equivalent to an oath for eight oxen. It may also be equivalent to one of as many hides, and merely another mode of expressing the same thing.

Juramentum per lapidem, see note to H. v. 29. This clause, referring to a custom of a far remoter age, and of which there exists no other trace in the Anglo-Saxon or Anglo-Norman laws, is most probably an interpolation of the compiler of the laws ascribed to Henry I. It may, however, allude to the altar, which was generally formed of stone, and be equivalent to jurare per altare lapideum, it being a christian practice in swearing (derived no doubt from their pagan fore-fathers) to touch the altar, or the grave-stone of some saint.

The expression, jurare manu sexta, duodecima, &c., has reference to the number of consacramentals, 'porrectis namque manibus jurabant, tactisque sacrosanctis evangeliis, aut altari, aut etiam, quod frequentissimum erat, sanctorum reliquiis.' Bignon, nota ad Form. Marculfi, lib. i. c. 38. This practice was general among the Germanic nations. Hoveden (anno 1194) mentions, that the bishop of Ely, in his reconciliation with the archbishop of York, was required to swear 'cum centesima manu sacerdotum,' and among the Welsh we find a purgation requiring three hundred con-

OATH - continued.

sacramentals (trecentesima manu). See Spelman voce Assath.

The term 'að-fultum,' or support to the oath, is a collective, expressive of the body of compurgators or consacramentals brought forward by either party in support of his cause.

For the valuation of an oath by hides, see In. 54. n.c.

Obedientiarii's unt 'qui vel aliqua in monasterio officia exercebant, vel qui in cellas et prioratus, seu obedientias mittebantur, easque procurabant; qui regebant obedientiam. Obedientiæ vero [sunt] præsertim dictæ cellæ, præposituræ, et grangiæ, a monasteriis dependentes, quod monachi ab abbate illuc mitterentur, vi ejusdem obedientiæ, ut earum curam gererent, aut eas deservirent.'

OFERHYRNES (f.), Contempt, disobedience; contempt in the present legal sense of the term; also the penalty annexed to according to the party offended, see H. xxxiv. 3.; xxxv. 1, 2, &c.

OFGANGFORDELL. A combination of letters formed by some Norman scribe or lawyer (perhaps from dictation), to whom the original was a sealed book, out of the following passage of C. S. 30.: 'orga man beet pryrealed openl.' This comprehensive compound he skilfully renders 'triplex judicium.'

ONSTAL, see note to In. 46.

ORDEAL (n.)—O.H.G. Urteili, mod. Urtheil. Trial by fire, or by hot or cold water. It was called single or threefold from the weight of the iron; for the process, see Ath. IV. 7. The ritual appropriated to the several kinds of ordeal is given in Canciani, tom. ii. p. 453. It begins with the following directions: 'Inquisitus aliquis de furto, vel adulterio, vel de quocunque alio crimine, si nolit confiteri, pergat sacerdos ad ecclesiam, et induat se vestimentis sacris excepta casula, portans in læva sacrum evangelium cum chrismario. et reliquiis sanctorum, calicemque cum patina, expectante plebe cum illo, qui criminis reus esse deputatur, in atrio ecclesiæ; et dicit plebi, Videte fratres christianæ religionis officium, &c. See also Spelman, voce Ordalium. The cold water ordeal, at least as practised on the continent, is thus described: 'The accused, having a cord fastened round his body, was cast into the water, if he floated on the surface, he was deemed guilty, if he sank, innocent. He was

ORDEAL - continued.

then immediately drawn out.' See Grimm, D.R.A., 923.; who adds: 'Herein an old heathen superstition seems to prevail, that the holy element, the pure stream, will receive within it no misdoer.' The ornest, or trial by battle, does not seem to have been usual in England before the time of the Conqueror, though without doubt originating in the kingdoms of the north, where it was practised under the name of holmgang, from the custom of fighting duels on a small island or holm.

ORA. See MONEY.

ORGYLDE. See ÆGYLDE.

ORIGE; this word occurs only in In. 28., where see Mr. Price's note, with whose conjecture I cannot, however, concur; believing rather that 'orige' is an erroneous orthography for 'orwige,' and the meaning to be: 'if he run away and become 'orwige,' i.e. place himself in a state that any one may slay him with impunity. See Orwige and ÆGYLDE.

ORNEST (n.). See ORDEAL.

Orwige—sine Wita—without war or feud; such security being provided by the laws, for homicides under certain circumstances, against the 'fæho' or deadly feud on the part of the family of the slain.

OSTENSIO, the same as Scavagium; 'Tributum a mercatoribus exigi solitum pro facultate ostendendi et exponendi merces in nundinis.' Du Cange.

Ρ.

Pannus, 'pellitium, pili molliores; Gallis, panne.' Du Cange.
'Peau, fourrure, étoffe, cuir; de pannus, en Bas Bret. pann.'
Roquefort, who gives the following quotation from Joinville:
'Ses robes estoient de camelin ou de pers; les pennes de ses couvertouers et de ses robes estoient de gamites, ou de jambes de lievres.' Hist. de S. Louis.

Pannus grisengus, or griseus, a grey pellice or upper robe.

Pannus madidus, one dyed or tinged. Pannus usatus, one used or worn.

Pasnagium, pannage. See Æfesn.

PECURA, pecus.

PENING (m.). See Money.

PLOUGH-ALMS. See SULH-ÆLMYSSAN.

PLOUGH OF LAND OF PLOUGH-LAND, the carucata of the Norman times, or as much land as could be ploughed by one plough in a year.

Porcarius. See Æhte-swan and In-swan.

PORCARIUS AD CENSUM. See GAFOL-SWAN.

Port-geréfa. See GERÉFA.

PREFECTUS. Of the functions of the præfect little seems to be known. Of his rank an idea may be formed from the order in which he stands among those named to attend the county court (H.VII. 2.); viz., after the aldermen and before the præpositi, barons, and vavassours. Perhaps he was the king's 'gerêfa' of the Saxon times.

Prepositus; of prepositi there were evidently two kinds; viz., the 'prepositus regius,' who seems to have been next in authority to the alderman of the hundred; and the 'prepositus' of a lord, who was a steward or bailiff of an estate, answering to the A.S. 'wicnere.'

PRESUMPTIO (TERRE vel PECUNIE REGIS). Invasio, usurpatio; see note to H. x. 1. The clause from the Lex Burgundionum there cited is: 'Jubemus ut quidquid hii, qui agris et mancipiis nostra munificentia potiuntur, de hospitum suorum terris contra interdictum publicum præsumpsisse docentur, sine dilatione restituant.' This was one of the rights of the crown.

Pund (n.). See Money.

R.

RÆD-BÂNA, one who counsels or instigates another to commit homicide or murder, opp. to 'dæd-bana,' the actual perpetrator.

RÆd-во́ка, counsellor, senator.

REDE-GAFOL (n.), see note to In. 67. Perhaps 'gafol' to be paid in ready coin, not in kind.

GEREF,
GERESP,

firmus, convictus, Alf. 32. This translation is supported by the Latin version of the passage: 'si in ipso denique firmetur.' I have not met with either word elsewhere.

Ræpsas, interstitia.

REAFLAC, robaria, rapina. See note to In. 91.

RECEPTIO, one of the offences constituting 'pundbreche' (infractura parci). It consisted probably in receiving or harbouring any beast of venery that might have strayed out of the enclosure.

RECORDATIO, remembrance; in which sense the word is to be understood in H. xxxi. 4. and xLix. 4., the 'recordatio curiæ regis' being the testimony of the legal witnesses, founded on memory, regarding any former decision of the court, which oral testimony was, in the curia regis, incontrovertible. This practice was usual in the time of Glanvile, who says: Presentibus itaque justiciis in curia, et in recordo bene concordantibus, necesse est eorum recordo stare sine contradictione alterius partis, ut predictum est. Si vero super hoc dubitaverint, inde quod non possunt inde acertari, tunc de novo placitum illud incipietur et deducetur in curia. Sciendum tamen, quod nulla curia recordum habet generaliter preter curiam domini regis; in aliis enim curiis, si quis aliquid dixerit unde eum penituerit, poterit id negare contra totam curiam, tertia manu, cum sacramento id se non dixisse affirmando; vel cum pluribus vel cum paucioribus, secundum consuetudinem diversarum curiarum.' Lib. viii. c. 8. Here the Anglo-Saxon practice seems to be so far changed that the witnesses or recorders were no longer, as in the time of Edgar (Edg. S. 3. 4. 5.), men chosen especially for the office, but that the justices themselves were the recorders. This usage continued to the time of John. See Palgrave's Engl. Common. vol. i. p. 145.

GEREFA, reeve; Frank. grafio, graphio, gravio. Of reeves, mention of the following classes occurs in these laws:—

- 1. The Geréfa, by which simple denomination the same official seems to be meant who is elsewhere called the 'scîr-geréfa,' or sheriff. He was the fiscal officer of the shire or county, or city, under the ealdorman or comes. His duties were many, as a reference to the places where his name occurs will abundantly testify. The king's 'geréfa' was probably identical with the 'scîr-geréfa.' The court of the reeve was held monthly. In the Anglo-Norman times he is usually stiled vicecomes.
- 2. The Tungrevius (Tun-gerefa),

3. The Port-gerefa

4. The Wic-gerefa (Wick-reeve), Inferior classes of fiscal officers employed, as their names imply, in the towns, ports, and wicks (hamlets) of the kingdom.

Besides the above-mentioned, it appears that each bishop, 'hlaford,' or 'gesiocund-man' had his reeve, who could make oath for him, and was a kind of steward or bailiff, like the modern Scotch grieve.

Relevatio.
Relevium.
Relief.

Respectare, to postpone, from respectus, mora, dies dilatus, prorogatio diei; Gall. respit. Du Cange.

GERIHTA CYNINGES — JURA REGIA — rights of the crown. Fines arising from certain offences, accruing to the king, and constituting a considerable portion of his revenue.

Rîm-ão. See Oath.

ROGATION DAYS. See GANG-DAGAS.

Rôm-Feoh — Heorð-penig; Denarium Sancti Petri; Denier Sein Piere. A due payable to the see of Rome on Saint Peter's day. See note to E. & G. 6.

Rugern, one of the months so called in the proem to the laws of Wihtræd. What month is intended is uncertain, though it was probably that in which the rye (ryg) was housed, or carried to the 'ern,' and therefore called 'rug-ern' or 'ryg-ern,' analogously with 'arn' or 'barn-monab' (i. e. 'ber-ern-monab,' or that in which the barley was housed, from 'bere,' barley, and 'ern,' house), mentioned by Verstegan as a name of August. Hence the Engl. barn.

If, supposing 'Rugern' a clerical error, we read in its stead 'Bugern,' we get a word of precisely the same meaning as 'barn,' the O. N. 'bygg' (Dan. byg), signifying barley, like the A.S. 'bere;' and it is certainly not unreasonable to suppose, that among the Jutes of Kent the O. N. term was the one in current use.

S.

- Sac—Saca. 'Cognitio quam dominus habet in curia sua, de causis litibusque inter vassallos suos exorientibus.' Spelman. From 'sacu,' lis, causa. Clemens Regnerus, quoted by Wilkins, defines sacca as 'regale privilegium, quo quis gaudeat in suo manerio circa placita, et correctiones delinquentium.'
- SEMEND (m.), an umpire, arbitrator; verb seman, litem componere, judicare.
- SÆ-WEARD (f.), custodia maris; one of the services exacted from the cotseti.
- SAGEMANNUS or SAGIBARO, 'homme de loy ou de causes.' Pithœi Gloss. ad Leg. Sal. 'Sagibarones' are thus defined by Bignon: 'Viros ætate et sapientia maturos, quibus ob

SAGEMANNUS -- continued.

peritiam legum, et multarum rerum experientiam, judicibus consilium dandi, et controversias definiendi facultas erat. Nomen ipsorum compositum est a sache, caussa, controversia, et baro, vir, ut adeo sachbaro idem sit ac sachman—— In veteribus monumentis hi sachbarones latine boni homines vocantur, et post comitem, et rachimburgios sive scabinos, loc est, judices collocantur.' Cf. notam ad Pact. Leg. Sal. Antiq. tit. 57. ap. Canciani, & Grimm, D. R. A., p. 783. Other authorities make the 'scabini' and the 'boni homines' identical. Savigny, Rom. Recht im M. A., i. 218, 219.

- Sawl-sceat (m.) Symbolum Anime; Pecunia Sepulture. Soul-scot or shot; an ecclesiastical due payable at the open grave, for the repose of the soul of the deceased.
- Scannorum, H. x. 1.; this is the reading of the Red Book of the Exchequer. Other Mss. have stannorum; Du Cange reads annorum. The meaning of either is involved in obscurity.

SCEAT or SCET. See MONEY.

Scyldwite, Scyldwite, or penalty for scyld, or crime. The intent of the law will then appear to be to prohibit the inflicting or imposing of any 'wite' without the pale of the 'burg' or court. This applies to ordinary cases; for in a case where a special prohibition existed, the forisfactum was no longer limited to thirty pence, but increased in proportion to the contempt.

Schot and Loth, Scot and Lot. All taxes in general are usually understood under this denomination. Scot is the A. S. 'sceat,' money, tax, contribution; 'Contributiones publicæ scotta appellarunt veteres. Lot, A. S. 'hlot,' sors, symbolum, pars tributi sive solutionis alicujus, quam inter alios quis tenetur præstare.' Spelman.

Scilling (m.). See Money.

- Scin-cræft (m.), magic, the art of delusion, of causing false appearances, apparitions; from 'scina' (scinna) (m.), shine, appearance.
- Scip-Atere (m.), 'ovis corpus;' so rendered R. S., p. 436, 437. This, I believe, is the only place where the word is at present to be found.

Scip-Fyrd. See Fyrd. SCIP-FYRÖUNG.

Scir-gemot (n.), county court. See Gemot.

Scir-Man, apparently another denomination for 'Scir-gerefa.'

Scorp (n.), garment, scarf. 'Scorp to friescipe' (r. fyrd-scipe), 'sceorpum in hosticum,' a garment or habiliment for military service (to be rendered by a thane), the same with 'hilde-sceorp,' Beow. l. 4305, and 'guo-sceorp,' Anal. A. S. p. 141. l. 11.

SEAM (m.) — SUMMAGIUM. See Lâd.

See Syx-hynde. Six-hynde.

GESIÖ. GESIÖ-MON.

-Felagus. The 'gesiths,' 'gesith-men,' or 'gesithcundmen,' were the military companions or followers of the Anglo-Saxon GESIÖCUND MON, chiefs and kings. That this is the true

sense of the word appears from many passages in king Alfred's translation of Bede (iii. 14. 22.; iv. 4. 10. 22.; v. 4. 5.) Some of these 'gesiths' had lands, others had not (In. 45. 51). The lands they held were, in some cases at least, not their own (In. 63. 68). When companions of the king, that is, servants of the state, the lands they held were probably 'folc-land.' In the latter periods of the Anglo-Saxon history, the appellation of 'gesiths' fell into disuse, and appears to have been superseded by that of 'thegn.' The 'gesiths' were the same with the 'Leudes' of the Franks and Visigoths, and both were derived from the comites of the ancient Germans. It would seem that the comites of the king had the designation of 'thegn,' before it was given to the comites of inferior chiefs.' (In. 45.) 'Gesiths' might receive grants of 'bocland.' Hickes, Gram. Anglo-Sax. 139. Smith's Bede, 786. (Allen's Inquiry, p. 149.)

SIDESSOCNA, the soke or 'socn' of a 'sith' or 'gesio.' 'As the kings and great men rose in rank and importance, their retainers gradually exchanged the title of 'gesith' for that of 'thegn.' Some districts, it is probable, were withdrawn from the hundreds before this change of appellation became universal, and, remaining still privileged jurisdictions, retained the name of 'sibessocna' after the 'gesith' or 'sith' had lost the name. It appears from Dugdale's Warwickshire, that so late as the time of Henry II., there were three of the present hundreds still called 'sibessocna.' Allen.

SMEREMANGESTRE, a woman who deals in butter, from 'smere,' butter, em 'mangestre,' fem. of 'mangere,' monger.

'Sokmannus proprie talis est, qui est liber et SOCMAN, tenet de rege, seu de alio domino in antiquo Socheman, dominico, terras seu tenementa vilenagia; et est privilegiatus ad hunc modum; quod nullus debet eum ejicere de terris nec de tenementis suis, dum poterit servitia facere, quæ ad terras et tenementa sua pertinent. Et nemo potest ejus servitia augere, aut eum constringere ad faciendum plura servitia quæ non debet facere. Et propter hoc Sokmanni isti sunt cultores terrarum dominorum suorum in antiquo dominico. Et non debent summoniri, nec inquietari in juratis vel inquisitionibus, nisi in maneriis ad quæ ipsi sunt appendentes: in placitis vero transgressionis, debiti, et aliis actionibus personalibus, summoniti sunt, ut alii homines; et de istis tenentibus in vilenagio.' De Natura Brevium, cit. Spelm. In the Anglo-Norman laws, the 'ceorl' of the Saxons is often rendered socheman and socman. See also Phillips, Engl. Reichs- und Rechts-geschichte, ii. p. 91.

Socn (f.), soke, sanctuary, place of refuge, protection, right of sanctuary. Such at least is the Anglo-Saxon acceptation of the term. In Ed. C. 22. it is thus defined: 'Soche est, quod si aliquis querit aliquid in terra sua, etiam furtum, sua est justicia, si inventum fuerit an non.' Fleta, lib. i. c. 47. says: 'Soke significat libertatem curiæ tenentium, quam sokam appellamus.'

'Soc' is a liberty, privilege, or franchise granted by the king to a subject. 'Soc' also denotes the territory or precinct within which 'sac,' 'tol,' 'team,' &c. were possessed. From 'soc,' in the sense of privilege or franchise, is derived the term 'socage,' because land held by that tenure was exempt from all services, except those particularly specified and enumerated.

'Hlaford-socn' was the protection due from a lord to his vassal.

Soinus — Essonium; Essoign. Hindrance, excuse. Omnis autem excusatio a jurisconsultis nostris essonium non dicitur, at ea solum, quæ vel in realibus actionibus, parti reæ, vel in curiis baronum, sectatoribus, absentiæ rationem exhibentibus, admittitur. Et essoniorum quidem multa sunt genera, sed jam olim quinque capitibus distributa.

- Malum viæ, seu de malo veniendi: cum venire quis vel non poterit propter impossibilitatem, vel non audeat propter periculum; vel non tam cito propter longinquitatem itineris. Hoc commune essonium appellatur.
- 2. Malum lecti: cum morbo detineatur; quod apud Glanvillam (lib.i. c. 19.) sub reseantisæ essonio reponitur:

Soinus, &c. — continued.

et huic pro qualitate morbi (puta languidi) annus interdum et dies datur.

- 3. Trans mare: cum in partibus transmarinis hæreat, non solum Æoli et Neptuni, sed principis alterius potestate constitutus. Dabuntur in tali casu ipsi essoniato ad minus quadraginta dies. Glanv. lib. i. c. 25.
- 4. Servitium Regis: cui forenses omnes necessitates cedunt: remanebitque loquela (i. e. juris actio) sine die, donec constiterit eum ab illo servitio domini regis rediisse.' Ib. c. 27. (Hacteneus Spelmannus.)
- 5. De esse in peregrinatione: sed distinguendum est, utrum is, qui taliter se essoniat, fuerit positus inde in placitum, antequam iter ipsum arripuerit, an non. Quod si prius summonitionem inde habuerit, observabitur cursus curiæ et juris ordo. Si vero prius inde nullam habuerit summonitionem, tunc iterum distinguendum est, utrum iverit ad Hierusalem an alium locum. Si versus Hierusalem iverit is, qui se essoniare facit, tunc solet ei dari respectus unius anni, et unius diei ad minus; de aliis vero peregrinationibus solet dari respectus pro voluntate domini regis et beneplacito, vel ejus justicie, pro longitudine vel brevitate itineris, prout viderint temperandum.' Glanv. lib. i. c. 29.

Solidarius, one serving for pay, (solidata, soldum) soldier.

Sortes Sanctorum; 'sic appellatur evangelii aut cujuslibet libri sancti inspectio, ραψωδομαντείας species; cum scilicet aperto libro quicquid oculis se subjiciebat, pro sorte, id est, oraculi loco, habebatur.' Du Cange.

SPLOT. See FRIN-SPLOT.

Spræc (f.), loquela, locutio, suit, action. When the defendant's oath was deemed credible, the suit or accusation was simple (anfeald spræc), and he was entitled to (wyroe) a single 'lad' or purgation; but if he were a 'tyhtbysig' or 'ungetrywe' man (malam habens samam—incredibilis), the accusation was said to be threefold, in which case the 'lad' was also threefold.

STABILITA, probably the same as 'stabulatum,' a buckstall. The forest plea, 'Qui ad stabilitam non venit,' may then signify, 'If any one, when called upon by the officers of the forest to assist in driving the deer into the stall or toil, fail to obey.'

STACA (m.), palus, stake; also a pin, needle.

STACUNG, a sticking. The practice of sticking pins or needles into a waxen image of the person against whom the witch-craft was directed, consisted probably at first in sticking them actually into the body of the individual: 'zir hpa opire reacan on animane man;' but as this process was no doubt sometimes attended with inconvenience and danger to the operator, the easier and safer method was devised of substituting a waxen proxy, instead of the true man. This practice was known under the name of defizio, 'quod ejusmodi incantatores acus subinde defigerent in imagines cereas, its locis quibus viros ipsos pungere decreverant, qui puncturas ipsas, ac si ipsi pungerentur persentiebant.' Du Cange. To it Ovid alludes:

'Devovit absentes, simulacraque cerea fingit, Et miserum tenues in jecur urget acus.'

See INVULTUACIO.

STEÖ (m.?), a station. In O.D. it is evidently the station on each side of the river (probably the Wye) where the 'landmen' of the English and Welsh were placed, in order to accompany any traveller from the one country who might have occasion to visit the other.

STAPELA, see note to Ath. IV. 7.

STERMELDA, see note to H. & E. 5.

STRETBRECHE, see definition H. LXXX. 5.

Strublus a goad? In H. Lxxx. 3. the reading in the Red Book, whether it be stumbli or stimuli, is doubtful; but whatever their meaning may be, the two words seem used synonymously.

GESUFEL — COMPANAGIUM. Whatever food is eaten with bread. The 'gesufel hlaf' (Ath.V. viii. 6.) must therefore signify a particular kind of bread to be eaten together with other food. Lye, without citing any authority, has 'zerypled hlaf, panis lacticinio et ovorum luteo maceratus.' In the A. S. charters frequent mention occurs of 'zeruple hlafaf, which are distinguished from wheaten loaves, as, 'cxx. husetenpa hlafa and cxx. zeruplpa hlafa.' Cod. Diplom., vol. i. p. 293. In R. S. 'sufel' would seem to stand for food in general. The etymon is obscure.

SULH-ÆLMYSSAN, plough-alms, see E. & G. 6.

Summagium. See Lad.

SURSISE. See OFERHYRNES.

SYNAXIS, officium ecclesiasticum.

SYX-HYNDE MAN, one whose rank was between the 'twelf-hynde' man and the 'ceorl' or 'twy-hynde' man, the 'wêr' of the former being twelve hundred, and of the latter two hundred shillings. The 'six-hynde' man's 'wêr' was six hundred shillings.

Т.

Team

(m.), thus defined in Ed. C. 22.: 'Si aliquis aliquid interciebatur super aliquem, et ipse non poterat warantum suum habere, erit forisfactura, et justicia similiter de calumpniatore, si deficiebat, sua erit.' 'Jurisdictio cognoscendi in curia sua de advocationibus, sive intertiatis; hoc est, ut jureconsulti hodie loquuntur, de vocatis ad warrantiam.' Spelman. See Vouching to Warranty.

Telonium,
Tolonium,
Tolneum,
Thelonium,

toll, duty. In the Latin documents telonium and its variations generally signify the duty levied on imports from abroad. Toll in conjunction with team is usually left untranslated.

TEODING, { (f.) — DECIMA; DECANIA—tithing. This division, with reference to the 'frid-gilds,' was strictly personal (see Ath.V. 111. v111. l.), consisting of ten members (gegildan, congildones), of which the senior (se yldesta) directed the nine others. See Hynden.

With the above species of tithing must not be confounded that connected with the 'frið-borg,' or frankpledge system; this was no doubt territorial, and varied, as to magnitude and population, in like manner with the hundred. This kind of tithing was under a tithing-man (teoðing-man — friðborg-heued — tyenðe-heued — decanus). Ten of these tithings composed the 'frið-borg' or hundred, the chief of which was the 'aldorman' or 'hundredes ealdor.'

THANE. See DEGN.

THASCIS (DE), H. LXXVIII. 5. This section is very corrupt in all the MSS. I believe it to be unintelligible.

Tihtbysig,

Tyhtbysig,

Tyhtbysig,

Tyhtbysig,

Coccupatus, implicated in.

Tihtle (f.), accusation, suit.

Anfeald Tihtle,

Dryfeald Tihtle,

Frum-tihtle, 'prima accusatio.'

Wider-tihtle, a cross-action. See note to Ed. I.

- TINEMAN, tithing-man.
- Titislamus, H. vi. 2., possibly an error for titulamus, the reading of the other Mss.
- Torr (f.?), 'Et Stykke Jord næst ved Bondens Huus,' a piece of land adjacent to the house of a peasant. Molbechs Ordbog. Such is the modern Danish definition, which agrees apparently with the Anglo-Saxon. B. Haldorsen describes toft as 'area domus vacua, parietina,' à tomr (empty).
- Tol; 'Licentia mercaturæ, seu nundinandi, sicuti cum rex concesserit villam aut dominium aliquod cum sac, soc, thol, teum, &c. concessisse videtur jus mercati; nam, tol (Ed. C. 22.), quod nos vocamus thelonium, est quod habeat libertatem emendi et vendendi in terra sua.' Spelman.
- Tonellus caballinus, probably a cask, two of which, slung together and full of vinegar, were a horse-load.
- TRINODA NECESSITAS; under this denomination are comprised three distinct imposts, to which all landed possessions, not excepting those of the church, were subject; viz.,
 - 1. Bryge-bot, for keeping the bridges and high roads in repair.
 - 2. Burg-bôt, for keeping the burgs or fortresses in an efficient state of defence.
 - 3. Fyrd, or contribution for maintaining the military and naval force of the kingdom.
- Tûn VILLA. Originally a plot of ground enclosed with a hedge (Ger. 'Zaun.') It came afterwards to signify a dwelling, with the land enclosed about it, then many dwellings within the enclosure, till it became what we now denominate a town.
- Tungrevius. See Gerêfa.
- Twelf-hynde (Man), a man whose 'wer-gild' was twelve hundred shillings. This was the highest class of Anglo-Saxon aristocracy.
- Twy-hynde (Man), a man whose 'wer-gild' was two hundred shillings. This was the lowest class of freemen, otherwise called 'ceorls.'
- TYMPANI VELLUS. See BEL-FLYS.

U.

Unctum, grease, fat. For unctum dissutum (Eth. IV. 2.) we should apparently read dissolutum, i. e. tallow.

Ungebendro or Ungebendro, (Placitum de), Eth. IV. 4. I am unable to assign a meaning to this word, which appears to be corrupt. The nearest approximation to it is, perhaps, 'Ungebodending,' rendered curia non indicta, for which, see Spelman and Du Cange.

Ungetrywe — Incredibilis. Unworthy of belief; said of a man not under surety or 'borh,' (see Eth. I. 4. C. S. 33.), or one 'accusationibus gravatus,' who was deemed disqualified from clearing himself by a simple oath or simple 'lad.' An individual thus circumstanced is styled in Capit. Car. Calv. tit. 37. § 4., 'infidelis regno.'

UNLYBBE, maleficium. See LIBLAC.

UTHESIUM. See HREAM.

ÛT-WARE, see note to Wg. 9. I rather take the term to signify a species of tenure, the precise nature of which cannot now be ascertained, but which may have some relationship to the old German system, by which every sharer in the public or common land (mark) belonging to a town, was required to have private property also in the district (gaumark) in which the woodland or mark was situate. Such a person was said to hold a ware. Five hides 'to cynges ût-ware' may therefore mean, five hides of public land granted out by the king to an individual, in virtue of his holding an adequate possession in private property.

V.

Vavasson; both the etymon and the exact original import of this word are extremely doubtful. At the period in which we find mention of 'vavassours' in these laws, it seems clear that they were an inferior class of barons, holding probably of the great tenants in capite. (See Baro.) In the chapter on Heriots (Wil. I. 20.) they represent the 'medemran pegnas' of C.S. 72., while the barones are placed on an equality with the 'cyninges pegnas.' In H. vii. 2. they are placed immediately after the barons, in the enumeration of persons who are to attend the county court. See Spelman's English Works, p. 58.

Velteris, — Langera; Lanlegera—'Germanis welter; canis Velteris, sagax, vel odorisequus, leporarius.' Du Cange.

VICARIUS, apparently identical with the Vicecomes.

VICECOMES — VESCUNTE. In the Anglo-Norman times, this title supplanted that of 'scir-gerefa' or sheriff, though probably with some modification of functions. See VICEDOMINUS.

VICEDOMINUS; from the order in which the vicedomini stand, in the enumeration of those who are to attend the county court, viz. 'episcopi, comites, vicedomini, vicarii,' it would seem that, as in France, they exercised a delegated authority under the bishop, as the vicecomes did under the duke or count. They were called vidames, and had both civil and criminal jurisdiction, while the vicecomes had civil jurisdiction only. (Selden, Tit. Hon., part ii. c. 3. § 21.) Among other definitions of vidame given by Roquefort is, grand vicaire d'un évêque.

Villa. See Tûn.

Vouching to Warranty — Gettman. A process by which a person, in whose possession lost or stolen property was found, was compelled to show from whom he bought or had it, which latter was, in like manner, obliged to declare how it came into his hands, and so on to a third holder, beyond whom, provided he could prove lawful possession, the tracing might not proceed.

The person from whom the accused party had the property, and who came forth as his warrantor, was called the 'getyma' or 'geteama,' and the process itself 'team.'

W.

- WEFEN-GETEC (n.?), wapentake; the hundred so denominated in some of the counties north of Trent, or, according to Ed. C. 30., Yorkshire, Lincolnshire, Nottinghamshire, Leicestershire, and Northamptonshire.
- Wal-rear, the crime of despoiling the dead, fully defined in H. LXXX. 4-6.
- WARGUS, an outcast, exile, one driven for his crimes from the society of man; from A.S. 'wearh;' O.N. 'wargr,' wolf, outlaw.

Hence a man who was declared 'wargus' was said 'lupinum caput (wluesheued) gerere.'

Watlinga Stræt, one of the Roman roads, leading from the coast of Kent, through London, to Cardigan; thus described by Trevisa: 'The seconde chief kynges high way is named Watlingstrete, and stretcheth thwert ouer Fosse, oute of the south eest in to the northe weste, and begynneth at Douer, and passeth by the myddell of Kente ouer Temse, beside London, by West Westmestre, and so forth by Seint Albon, in the west syde, by Donstable, by Stratford, by Towcetre, by Wedon, by South Lylleborn, by Atheriston, unto Gilbertes hille, that now is called Wrekene, and forth by

WATLINGA STRET - continued.

Sevarn, and passeth besides Wrokcestre, and then forth to Stratton, and so forth, by the myddell of Wales, unto Cardykan, and endeth atte Irisshe see.' Polychron., lib.i. c. 45.

WEALH, see note to In. 23.

WED (n.)—VADIUM. Pledge, security. In O.D. 1. an 'underwed' is mentioned, but in what it differed from a 'wed' is not apparent: it is rendered vadium in the old Latin version.

WEG-REAF (m.?), highway robbery; see note to Ethb. 19.

Wemming, from 'wem,' 'wæmme,' a blot, blemish, or fault, and means, 'judicationis contraventio, scil. causæ vel sententiæ frustratio appellationis remedio; vel vitii, erroris, falsitatis, injustitiæ, decreti vel sententiæ, per judicem inferiorem in prima instantia latæ, coram judice superiori ostensio, et judicii inde redditi abolitio sive abrogatio.' Somner.

Went-sætas, the inhabitants of the part of Wales called 'Gwent,' comprising the shires of Monmouth and Glamorgan. The 'Waller-wents' were probably the Celtic inhabitants of Cumbria, so designated by the Anglo-Saxons.

WEOFOD-BOT. See BOT.

Weordio (m.) — Curtillum. 'Area, vel quicquid spatii intra curtis seu habitaculi sepimentum jacet; viridarium, hortus.' Spelman. 'Jardin qui est ordinairement ensermé de murailles, de haies, ou de fossés.' Roquesort, voce Courtieus.

WER (m.),

WER-GILD (n.),

The price at which every man was valued, according to his degree, which, in the event of his being slain, was to be paid to his relatives, or to his 'gild-brethren,' by the homicide or his friends, and which he was himself condemned to pay, if proved guilty of certain offences specified in the laws. From p. 174, 175. and H. LXXXVI. 5. 7. it appears that the 'wer' of a man slain was payable by instalments, the first of which, or 'frumgild,' in sixty-three days after the payment of the 'healsfang,' and the others as the 'witan' might direct.

Besides the 'wer' and 'heals-fang' to the relations, a homicide had to pay 'wite' (called in this case 'fiht-wite') to the king, for violation of the public peace, and 'manbôt' to the lord of the slain.

'Wêr' and 'wêr-gild' I conceive to be perfectly interchangeable terms, and that the former is merely an abbreviated form of expression for the latter, as in the instance of 'ceap' and 'ceap-gild,' 'leod' and 'leod-gild,' &c. WER-BORH (m.), security given for payment of the instalments of the 'wer' of the slain, within the term directed by the 'witan.' For the particulars of this security, see p. 174, 175.

Wer-feho (f.), synonymous apparently with the simple term 'fæho' or deadly feud; every 'fæho' being in reality 'wêrfæho, from involving the penalty of the 'wer' or 'wer-gild.'

Wêr-lâd (f.). See Lâd.

Wermings, apparently an error for Wemmings, which see.

WER-TIHTLE (f.), an accusation involving the penalty of the

Wic (f. or n.?), vicus, oppidum.

See GEREFA. Wic-geréfa.

WICCE, a witch.

WICNERE, villicus, dispensator, steward; from 'wic,' in its signification of monastery, mansion, &c.

WIGLERE, a soothsayer, magician, wizard. I believe this word, in default of the word 'wicca,' to stand as masculine to 'wicce,' a witch. Hence 'wiglung,' in the compound word 'lic-wiglung,' necromancy.

WILDE-WEORF, i.q. WILDE-ORF, wild cattle. Lye cites a Cottonian and a Bodleian Ms. of Ælfric for the identity of 'weorf' and 'orf,' which, apparently on the same authority, he renders asellus.

WIL-WEORPUNG (f.), well or fountain worship. This superstition was very general among the Germanic nations, whose veneration for, if not adoration of streams and fountains continued long after the introduction of Christianity. the northern kingdoms traces of it subsist to this day; what was once done in commemoration of Baldur being still practised in honour of St. Olave or St. John the Baptist; for, as Professor Finn Magnusen (speaking of the Midsummer festival) justly remarks, 'The people of the North would not, on the introduction of Christianity, forsake so ancient and dear a national festival, with which was associated the superstition, that wells, (as Baldurs Brönd, Tis-væld, and many others in Denmark,) baths, certain plants, &c. at the mysterious summer solstice possessed a supernatural power of healing sickness, neutralizing pernicious witchcrafts, &c. — The converters of the North acted here, as in other cases, according to circumstances, by transferring the heathen Midsummer festival dedicated to Baldur to the eve of St. John, which happened about the same time; for as the people of the North had formerly commemorated the death of Baldur, they could now mourn WIL-WEORDUNG - continued.

over the similar fate of John the Baptist; if they had previously seen Baldur's blood on the root of a plant, since named after St. John, the christian populace now believed that what they there saw was the blood of the martyr, but which in fact consisted in the eggs of certain insects, containing a red fluid; if Baldur had previously been the healing god, his miracles were now transferred to the new saints.' Den Ældre Edda, ved Finn Magnusen, vol. i. p. 16.

- WINTER-STEAL, a stallion a year, or winter, old. 'Stalhenghst,' equus admissarius. Kilian.
- With (m.), a member of the supreme council of the nation, hence called the 'witena gemot.' This title was also applied to members of the shire-mote.
- Wite (n.), mulct, fine. This was the penalty falling to the king (except in cases of alienation to others) or to the st., for violations of the law; though Wih.11. exhibits a case where half the 'wite' went to the informer. 'Full-wite,' 'wita regis,' 'capitalis wita,' 'plena wita,' 'regis forisfactura,' seem only different forms of expression for the same thing.

'Wîte-ræden' does not seem to differ much in signification from 'wîte,' 'ræden' in general adding little or nothing to the signification of the words with which it is joined. In In. 50. it may, however, be observed, that it is rendered in the ancient version 'witæ redditio,' which does not ill

accord with the context.

WITENA-GEMOT (n.), the supreme council of the nation, or meeting of the 'witan.' This assembly was summoned by the king; and its members, besides the archbishop or archbishops, were the bishops, ealdormen, duces, eorls, thanes, abbots, priests, and even deacons. In this assembly, laws, both secular and ecclesiastical, were promulgated and repealed, and charters of grants made by the king confirmed and ratified. Whether this assembly met by royal summons, or by usage at stated periods, is a point of doubt.

Wîte-peow (m.). See Deow.

Wit-word (n.), see note to Eth. III. 3. In the O. N. glossaries 'vitoro' is explained merely notitia, scientia, the last syllable being apparently redundant, like 'ræden' in 'wite-ræden.'

WITER-TIHTLE. See TIHTLE.

Wringh-wæg — Siringia. The pressing of the cheese vat, from which it seems butter was to be made. R. S., p. 438, 439.

WLUESHEUED. See WARGUS.

Y.

Yoongman, O. N. 'singmenni,' juvenis.

Đ.

Degen, Degn, Den, Deng, thane, minister, hence 'pegnian,' ministrare, to perform the duty of a thane. This, like the words hnight and sergeant, from a term implying service became a title of honour, of which we find the two following grades:

1. A king's thane (cyninges pegn), of whose rank a

half that of an earl. 2. A thane, simply so called, or, as he is sometimes stiled, 'læsse maga,' 'medeme,' or 'lespegn,' whose heriot was trifling in comparison with that of a king's thane. In Wih. 20. a king's thane and a stranger (gest) are placed on the same footing, from respect, perhaps, to the rights of hospitality. Ihre is of opinion that

'begen' was originally a title of honour.

That the thane, at least originally, was a military follower, a holder by military service, seems certain, though in later times the rank seems to have been enjoyed by all great landholders, as the natural concomitant of possessions to a certain value. By Mercian law he appears as a 'twelf-hynde' man, his 'wêr' being twelve hundred shillings.

That this dignity ceased from being exclusively of a military character is evident from numerous passages in the laws, where thanes are mentioned in a judicial capacity and as civil officers. In Edg. II. 3. the judge (dema) who judges wrongfully is to forfeit his 'pegenscipe' or thaneship.

Thaneship (begenscipe) and thane-right (begen-riht) must not be regarded as identical. A priest who conducted himself with propriety was worthy of thane-right, but that he was not consequently considered a thane is evident from H. LXVIII. S., which says: 'Et licet omnis presbyter, undecumque oriundus, si canonicam vel regularem vitam ducat, in seculari dignitate, thaini legem habeat, si tamen occidatur, secundum natale suum reddatur.' This is undoubtedly the repetition of a Saxon law no longer existing. In like manner a 'ceorl' possessing five hides of land, and a merchant who had made three voyages on his own account, were deemed worthy of thane-right.

In the compounds 'mæsse-þegn' and 'weofod-þegn,' the word 'þegn' is not a title of honour, but is used in its primitive sense of servant, minister.

- DEOD-WITA (m.), see note to R. 1.
- DEOF-GILD (n.) FURIGILDUM. Money paid in compensation for robbery.
- Deow, servus, slave; commonly a slave by birth; one who had been condemned to slavery for crime, or from inability to pay the fines incurred for violation of the law, being designated a 'wite-peow' or penal slave.
- DING (n.), concilium, conventus, apparently synonymous with 'gemôt,' though more usual perhaps in the Jutish and Danish portions of the island.
- Gehing, see note to In. 52.
- DINGEMAN: a body of Danish soldiery in England so denominated. The following passage will serve to illustrate H. xv. which has hitherto, owing to a false reading, been lamentably misunderstood: 'I pann tima settu Danir pingamannaliö i Englandi, par vâru pă malamenn, ok var pat eð fræknasta lið, ok hèldu pingamenn mjök upp orrostu af hendi Dana við Englismenn: At that time the Danes raised the body of 'thingamen' in England, which was a paid corps, and was a very valiant army. The 'thingamen' fought for the Danes many battles with the English.' Knytlinga Saga, p. 185. ed. 8vo. 1828.
- Dr.EL O. N. Dræll a thrall, slave; synonymous apparently with 'beop.'

DRYMSA. See MONEY.



	•	
•		
,		

